

February 10, 2004

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**CONDITIONAL USE PERMIT CASE NO. 99-239-(5)
OAK TREE PERMIT CASE NO. 99-239-(5)
VESTING TENTATIVE TRACT MAP NO. 53138
PETITIONER: PRESIDIO CHATSWORTH PARTNERS, LLC
595 MARKET STREET, SUITE #2400
SAN FRANCISCO, CALIFORNIA 94105
CHATSWORTH ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Certify that the Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the state and County guidelines related thereto and reflects the independent judgment and analysis of the County; find that the Board has reviewed and considered the information contained in the Environmental Impact Report prior to approving the project; and adopt the mitigation monitoring program incorporated in the Environmental Impact Report, finding that, pursuant to Public Resources Code Section 21081.6, the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation;
2. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit 99-239-(5), Oak Tree Permit 99-239-(5) and Vesting Tentative Tract Map 53138.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Establish development standards that ensure future development on the subject property will be compatible with goals and policies of the Countywide General Plan.

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Vesting Tentative Tract Map 53138-(5)**

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Implementation of Strategic Plan Goals

The County's Strategic Plan goal of service excellence is achieved through the accurate and efficient processing of the project.

This conditional use permit, oak tree permit and vesting tentative tract map promote the County's Strategic Plan goal of fiscal integrity. The project will include public infrastructure including roads, and a proposed fire department helispot and sheriff storefront facility.

This conditional use permit, oak tree permit and vesting tentative tract map also promote the County's vision for improving the quality of life in Los Angeles County. The project allows for the provision of additional housing. A total of 388 single-family residences will be created.

FISCAL IMPACT/FINANCING

Approval of the conditional use permit, oak tree permit and vesting tentative tract map should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Regional Planning Commission conducted a concurrent public hearing on Conditional Use Permit, Oak Tree Permit Case Nos. 99-239-(5) and Vesting Tentative Tract Map 53138-(5) on January 23, 2003, April 10, 2002, June 19, 2002, August 21, 2002, September 11, 2002 and September 3, 2003. The requests before the Commission were: (1) a conditional use permit to authorize a density controlled development and to ensure compliance with hillside management design criteria, 2) an Oak Tree Permit to authorize removal of 61 oak trees and encroachment into the protected zone of an additional 11 oak trees 3) Vesting Tentative Tract Map 53138-(5) to create 388 single-family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad, 1 sheriff storefront facility lot, 21 open space lots and 4 remainder parcels. The Regional Planning Commission voted to approve the requested conditional use permit, oak tree permit, and vesting tentative tract map at their January 14, 2004 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit, oak tree permit and vesting tentative tract map are deemed to be called for review by your Board. A public hearing is required pursuant to Section 22.16.200 and Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section

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22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

The proposed conditional use permit, oak tree permit and tentative tract map will not have a significant effect on the environment. The initial study for the project identified potential impacts in the following areas: aesthetic/visual, air quality, archaeological/historical, drainage, flooding, fire hazard, geologic/seismic, noise, public services/facilities, schools, sewer capacity, soil erosion/grading, solid waste, traffic circulation, vegetation, water quality, water supply, wetlands/riparian, wildlife, and cumulative effects. An Environmental Impact Report was prepared for the project in accordance with the California Environmental Quality Act (Code Section 21000). The EIR concludes that no significant environmental impacts which cannot be avoided or mitigated have been identified.

IMPACT ON CURRENT SERVICES OR PROJECTS

Action on the proposed conditional use permit, oak tree permit and vesting tentative tract map is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Director of Planning

Frank Meneses, Acting Administrator
Current Planning Division

FM:EF:ef

Attachments: Commission Resolution, Legal Descriptions, Commission Findings & Conditions, Commission Staff Report & Attachments, Tentative Tract Map, EIR

C: Chief Administrative Officer
County Counsel

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Assessor
Director, Department of Public Works



Los Angeles County
Department of Regional Planning
Director of Planning James E. Harll, AICP



March 28, 2002

TO: Esther L. Valadez, Chair
Harold V. Hesley, Commissioner
Leslie G. Bellamy, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: **CONDITIONAL USE PERMIT 99-239-(5)**
OAK TREE PERMIT 99-239-(5)
TENTATIVE TRACT MAP NO.53138

The field trip to the project site is scheduled for Saturday, April 6, 2002 at 9:00. The agenda for this field trip is attached.

At the request of the neighbors in the surrounding community, in addition to seeing the project site, the Commissioners will also tour the adjacent Twin Lakes neighborhood and the Chatsworth area south of the 118 (Ronald Regan) Freeway.

The staff report for the project is included today. Details on the field trip route will be provided to you in your package next week.

PROJECT 99-239-(5)

**CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)
VESTING TENTATIVE TRACT MAP NO. 53138**

**STAFF ANALYSIS
FOR
JANUARY 23, 2002 REGIONAL PLANNING COMMISSION PUBLIC HEARING**

PROJECT OVERVIEW

Presidio Chatsworth Partners, LLC, requests approval of Conditional Use Permit No. 99-239-(5); Oak Tree Permit No. 99-239-(5); and Vesting Tentative Tract Map No. 53138. The tentative tract map proposes to create 484 single-family residential lots, 7 private and future street lots, 4 private park lots, 1 lot for development with a helicopter landing pad for the use of the Los Angeles County Fire Department and 29 open space lots on 230.58 acres.

The Conditional Use Permit request is to authorize a density controlled development, to ensure compliance with hillside management design review criteria and to authorize the construction of a helipad.

The Oak Tree Permit is to permit the removal of 65 oak trees and encroachment into the protected zone of an additional 7 oak trees.

The subject property is generally vacant, with five single family residences and the remaining foundations of several old residences scattered throughout the site.

DESCRIPTION OF PROJECT PROPERTY

LOCATION

The project site is located just north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Canoga Avenue, in the Chatsworth zoned district.

PHYSICAL FEATURES

The project site is 230.58 acres in size. It is irregular in shape with level to steep, hilly terrain. The northerly portion of the property contains a plateau, which is bordered to the west and south by Devil Canyon, which bisects the project site, and to the east by Browns Canyon.

ACCESS

Local access is provided by Topanga Canyon Boulevard to the West and Canoga Avenue to the East. Regional access is provided by State Route 118 (Simi Valley Freeway) located directly south of the project site.

TENTATIVE TRACT MAP NO. 53138
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)

ENTITLEMENTS REQUESTED

CONDITIONAL USE PERMIT

The applicant is requesting approval of a conditional use permit to authorize a density controlled development, to ensure compliance with hillside management design review criteria and to authorize the construction of a helipad.

OAK TREE PERMIT

The applicant is requesting removal of 65 oak trees and encroachment into the protected zone of an additional 7 oak trees.

TENTATIVE TRACT MAP

The applicant is requesting approval of a vesting tentative tract map to create a total of 525 lots; 484 single-family residence lots, 7 private and future street lots, 4 private park lots, 1 helipad lot and 29 open space lots.

EXISTING ZONING/ZONING HISTORY

65.42 acres in the southwestern portion of the subject property, and 12.04 acres in the southeastern portion are zoned A-1-1. The remaining 157.5 acres are zoned R-1-6000.

The R-1-6,000 designation was established by Ordinance 7505, effective May 15, 1957. The R-1-6,000 designation may seem somewhat inconsistent given the varying topography of the site. However, the zoning reflects the General Plan designation of Rural Communities and the existence of an historical subdivision on the property. A discussion of the project site's history is included in the project background section and the rural communities designation is discussed in the General Plan section.

The A-1-1 zoning was established by Ordinance 7505, effective May 15, 1957. The portion of the project site designated A-1-1 is vacant and was not included within the boundaries of the historic subdivision on the other portions of the property.

EXISTING LAND USES

Subject Property

The project site is vacant with the exception of five single-family residences and the foundations of several previous residences scattered throughout the project site. The existing single-family residences will be removed.

Surrounding Property

The property directly south of the subject property (Twin Lakes) is developed with single-family residences. There are approximately 98 residences within this subdivision, many on less than standard sized lots. The property immediately adjacent to the southwesterly boundary of the site is vacant, but a tentative tract map for 159 multi-family residential units (Tentative Tract Map 53235) has been submitted and is presently being processed. Further west are single family and multi-family residential developments. Property to the north of the site is presently vacant, as is the property directly to the east. Farther to the east is the Porter Ranch development within the boundaries of the City of Los Angeles. Construction activity for Porter Ranch is visible from the project site. (See Figure 2.6 in the Draft EIR. This aerial photo clearly depicts surrounding land uses.)

PROJECT BACKGROUND

Record of Survey Lots

Of the total 230.58 acre project site, 161 acres were previously subdivided into approximately 2,575 lots in 1925, 1926 and 1927. The lots were created by Records of Survey 22/03, 24/15, 24/16 and 25/38. The Record of Survey was a procedure for land division prior to the enactment of the Subdivision Map Act in 1929 which required approval of tract maps for division of land into 5 or more parcels. The Deer Lake Highlands Subdivision, as these Records of Survey are called, created lots of approximately 2,500 square feet in size. The lots were plotted with a series of easements for access and utility purposes to ensure that each lot had a legal means of access to a public road. Because each of the lots were subdivided subject to the regulations in effect at the time, and since each had designated access, the lots were considered "legal" lots, though substandard based on current roadway requirements and lot size requirements. Though the Deer Lake Highlands Subdivision is similar to the small lot subdivision of Twin Lakes, directly to the south, which has been developed with single-family residences, access to the lots of Deer Lake Highlands was constrained by a substandard bridge crossing Devil Canyon. Due to the County Fire Department's inability to traverse the bridge, and without the ability to condition its improvement on individual building permits, there has been a de-facto moratorium on development in the Deer Lake Highlands subdivision. As noted only 5 residences presently exist.

Beginning in 2000, at the request of the project applicant, County staff began processing a series of Certificates of Compliance, as prescribed under the Subdivision Map Act, to validate the legal status of the Deer Lake Highlands Subdivision lots. The process includes the merging of the existing small lots into larger new ones, each with a minimum area of 6,000 square feet. When completed, the approximate 2,500 lots of the Deer Lakes Highlands Subdivision will be merged and reduced to a total of into approximately 588 lots, each meeting current lot size requirements. While the approved Certificates of Compliance establish conformance with the State Subdivision Map Act, they do not establish these properties as 588 lots that meet all requirements of the Los Angeles County Code requisite to development.

Property Acquisition

The approximate 2,500 Record of Survey lots of the Deer Lake Highlands Subdivision were under different ownership and the assembly of these lots to create the current project site was a complicated and time consuming process. The applicant purchased as many lots as possible from private owners over a 15 year period. An additional 1,319 lots were tax delinquent and owned by the County of Los Angeles.

In order to facilitate purchase of the tax-delinquent parcels, the applicant worked closely with the County of Los Angeles, the Santa Monica Mountains Conservancy (the "SMMC") and the Mountains Recreation and Conservation Authority (the "MRCA").

On September 15, 1997, the SMMC and MRCA Boards of Directors, approved a Resolution which authorized the acquisition of the County-owned lots by the SMMC, approved a land exchange agreement between the SMMC, MRCA, and the applicant, found that the proposed acquisition and exchange would not have a significant adverse impact on the environment and approved a Negative Declaration.

On December 9, 1997, the Los Angeles County Board of Supervisors, approved the sale of the lots to the MRCA based on a County-appraised price and found that the lots were not required for County use, that the SMMC had first right of refusal to acquire any publicly owned property that may be declared excess by a public agency, that sale to the MRCA was exempt from CEQA, that the majority of this excess property would be developed with a residential project and the surrounding acreage would be dedicated to the SMMC for open space and wildlife corridor preservation, and that the exchange of the County's property by the SMMC with the developer would restore these lots to the tax rolls.

In addition to the applicant paying the appraised acquisition price for all County-owned lots, the Agreement provided for the following other considerations: (1) retention in fee by SMMC/MRCA of all or portions of approximately 18 acres to provide buffer areas along the northerly and easterly boundaries of the site; (2) dedication in fee to SMMC of 13 acres of sensitive riparian habitat in Devil Canyon; (3) monetary compensation to SMMC to be used for additional open space acquisitions by the SMMC within the Santa Susana Mountains; and (4) the guaranteed annual funding of a Ranger position for the Santa Susana Mountain area.

Despite diligent efforts, the applicant has been unable to acquire 23 of the record of survey lots, totaling approximately 5 acres. These lots are reflected on the tentative tract map as "not a part" (NAP) parcels. Though these NAP parcels are not presently included, the project has been designed to allow these parcels to be integrated in at a later time, if they are subsequently acquired. Access to each of the NAP parcels is provided.

GENERAL PLAN CONSISTENCY ANALYSIS

The Land Use Policy Map of the Countywide General Plan specifies two separate land use designations for the project site: Non-Urban (R) and Rural Communities. The Non-Urban designation permits residential units at a density of no greater than 1 unit/ acre. The Rural

Communities designation permits residential development at up to 6 units per acre. The analysis prepared for the project indicates that there are 65 acres designated Non-Urban and zoned A-1-1. Within the Rural Communities designation, 12 acres are zoned A-1-1 and 157.5 acres are zoned R-1-6,000. Based on the General Plan land use designations, the low density threshold for the overall project area is 175 units and the high density threshold is 1,048 units. The proposed project is below the mid-point of these densities.

The Rural Communities designation is located on the portion of the site that contains the Deer Lake Highlands Record of Survey lots. The adjacent Twin Lakes community is also designated Rural Communities. The General Plan states that further development of Rural Communities should be of an "infill" nature, consistent with existing community character and in some instances at low urban intensities. Prior to the submittal of the project for processing, the applicant met with staff to discuss the proposal and to determine the appropriate density based on the Rural Communities designation. It was determined that a proposal at low urban densities (up to 6 units per acre) could be found consistent with the General Plan and that the filing of a new subdivision and conditional use permit would assure compliance with the General Plan requirement to ensure adequate hazard mitigation and the provision of appropriate services and infrastructure requirements.

The Non-Urban portion of the project site is located adjacent to Mayan Drive, at the northerly edge of the Twin Lakes community. The area is less steep towards the street and then drops off into Devil Canyon to the north. The proposed residential units will be clustered towards the street. The steeper terrain would be maintained as undisturbed open space, as would Devil Canyon itself, which is not a part of this subdivision.

A total of 55 single-family residences are proposed for development on land designated Non-Urban. Though the overall non-urban designated area contains 65 acres, which does not exceed the maximum 1 unit per acre density, the high density threshold has been calculated at 31 units. In order to permit the 55 proposed lots, a transfer of 24 units permitted in the Rural Communities designated area to the non-urban area would have to be approved. Generally, the transfer of units from an urban designation (Rural Communities) to a non-urban designation is permitted only when justified by topographic and geologic factors. In this case, the topography of the non-urban area proposed for development is relatively flat and is adjacent to Twin Lakes, which is developed at urban densities. Generally, when allowing development in non-urban areas a non-urban character is maintained by requiring larger lots with wider street frontage. In non-urban areas, staff has typically recommended lots of 15,000-20,000 square feet with minimum 80' wide street frontages. The proposed 6,000 square foot lots, with minimum 50' wide frontages would be of an urban character but would not be out of character with the surrounding Twin Lakes community. Staff has determined that the proposed urban to non-urban density transfer may be found consistent with the goals and policies of the General Plan. However, such a determination ultimately rests with the Commission.

PROJECT DESCRIPTION

The tentative tract map and conditional use permit Exhibit "A" depict the 230.58 acre site developed with a residential project. The development takes access from Topanga Canyon

Boulevard to the west and from Canoga Avenue to the east. A total of 484 single-family residences, 4 private parks and a helipad are proposed. (Figure 2.9 in the Draft EIR provides a photo simulation of project buildout)

In the first residential area, 55 residences and an approximate 1 acre private park, would be located at the westerly edge of the site, adjacent to Mayan Drive in the Twin Lakes Community and will take access from "A" Street (an extension of existing Poema Place). "A" street would then extend across Devil Canyon via a proposed bridge to the northerly portion of the site. To the east, "B" Street would extend from Canoga Avenue, via a second bridge crossing of Devil Canyon to the northerly plateau area of the site. The remaining single family residences would take access from a system of cul-de-sac streets, leading to the northerly portions of the site. 3 small pocket parks are spread throughout this part of the project. Seven streets, serving approximately 150 residences in the northwesterly portion of the site are proposed to be gated private and future streets. The residential lots range in size from approximately 6,000 square feet to 20,000 square feet. The proposed helipad, on approximately 2 acres, would be located at the northeasterly edge of the site. A multi-use trail surrounds the project. Open space lots include portions within the residential development and large canyon areas separating the two residential areas.

Approximately 153.90 acres of the project site would be disturbed, including area required for fuel modification. The single-family residential pads would occupy a total of approximately 61.71 acres or 27 percent of the project site. Project construction, including the extensive infrastructure improvements would require approximately 2.24 million cubic yards of grading. Undisturbed open space under the proposed project would comprise approximately 76.67 acres or 33 percent of the project site. Overall open space, including slopes, parks and trails, would comprise approximately 142.49 acres or 61.8 percent of the project site.

The project depicted in the tentative tract map does not include approximately 10 areas, totaling about 5 acres, designated as "Not a Part" (NAP) 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 on the Vesting Tentative Tract Map. Although the existing and potential development of these 10 NAP areas is contemplated, they have been excluded from the VTTM because the project applicant has not been able to acquire ownership. Collectively, these 10 NAP areas are comprised of 23 existing, Record of Survey lots. NAP Nos. 8, 9 and 10 each have an existing single-family dwelling, which will remain. The other seven NAP's are vacant, but are subject to future development in one of the following ways:

- NAP's 1 through 7 contain a total of 11 Record of Survey lots. Based on the existing County zoning of R-1-6000, these seven NAP's would yield a total of seven single-family residential lots if developed separately from the VTTM, as summarized in the NAP Development Table on the VTTM.
- If these seven NAP areas were developed as part of a revision to the VTTM, they would yield a total of 11 single-family residential lots. (Note: NAP No. 5 would not be incorporated into the VTTM). Therefore, under this scenario, a total of 12 lots would result.

Extensive infrastructure improvements are proposed as a part of the project. The applicant has applied for approval of a Community Facilities District (Mello-Roos) for financing of project improvements.

CONDITIONAL USE PERMIT BURDEN OF PROOF

A Conditional Use Permit is required for the following reasons:

- ◆ The project is a hillside project as the subject property exhibits natural slopes of 25% or greater.
- ◆ The single-family residences are clustered (density controlled development).
- ◆ A helipad, to be used by the Los Angeles County Fire Department, is proposed.

The applicant indicates in the burdens of proof submitted in support of approval of the CUP that the project design preserves natural landforms. No grading will take place in the vicinity of existing residences which could potentially create geological hazards or slope instabilities affecting those residences. The project is compatible with the natural resources of the area because it avoids construction within Devil and Browns Canyons, thereby preserving these habitats and wildlife corridors. None of the prominent rock outcroppings will be disturbed.

The applicant states that the project is compatible with the scenic resources of the area because there will be no landform alterations which will adversely affect the scenic quality of the area; i.e., the project will be constructed to generally conform to existing contours within the southerly portion, and will be situated on an existing plateau within the northerly portion. The plan has been developed by utilizing a series of detailed "constraints" parameters to insure that natural features, such as prominent land forms, habitat areas, natural water courses, and significant oak groves would be preserved. Special design features, such as a preponderance of "single-loaded" roads within the southerly portion of the project not only minimize the amount of grading required and associated visual impacts, but also will provide significant landscaped and natural buffer areas between the proposed lots. In addition, most of the proposed lots within the southerly portion will be "split level pads" to further reduce the effects of grading and to further make the project conform to existing land forms.

The applicant's burdens of proof for the proposed CUP are attached.

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report has been prepared for the Project. The following is a summary of factors identified and discussed. Mitigation measures are proposed to reduce the level of impacts, and the level of significance after mitigation. Numerous comment letters were received by the County during the public review period from various public agencies. After mitigation, no significant unavoidable impacts would occur after project implementation and therefore no statement of overriding considerations is required.

Aesthetics/Visual

Four viewsheds were analyzed for impacts. Views would be modified from a semi-natural state to that of a residential community. Implementation of the proposed project would not result in significant impacts related to aesthetics or visual resources.

Air Quality

Construction

Grading emissions would be associated with dozer operations and water trucks for dust control and with construction workers commuting to and from the project site. Construction emissions would vary with the grading/excavation activities. With implementation of dust control and mitigation measures, peak grading activity days would experience PM₁₀ emissions that are below the identified significance threshold. Temporary construction emissions would occur during project buildout and include on-site generation of dust and equipment exhaust, and off-site emissions from construction vehicular traffic. NO_x would exceed the SCAQMD thresholds prior to application of mitigation measures.

Operation

Air pollutant emissions associated with project operation would not exceed SCAQMD thresholds for criteria pollutants. Therefore, impacts associated with project operation would not be significant.

With incorporation of the recommended mitigation measures, including dust control, energy efficient heating, ventilation and air condition equipment, no significant unavoidable impacts regarding construction or operational activities would occur.

Biota

Based upon field surveys, no threatened or endangered species will be impacted by project development. However, the EIR does require substantial mitigation measures to decrease the biota impacts associated with Project development, including a restoration program to reduce impacts to the Mariposa lily population. Development of the Project would result in the removal of 65 oak trees and encroachment into the protected zone of an additional 7 trees but mitigation trees will be required, as recommended by the County Forester.

With implementation of the recommended mitigation measures, no significant unavoidable impacts to biological resources would occur.

Cultural Resources

Eight potential archaeological sites were evaluated. Three sites were thought to be historical and five sites either revealed small artifacts prehistoric in description or revealed no archaeological objects of any significance. As a result of this evaluation, including appropriate excavation,

implementation of the proposed project would not result in adverse impacts to significant cultural resources.

Geology/Soils

No observable Holocene Age faults occur on the project site. Older faulting does occur on-site as existing zones of weakness that may be susceptible to minor displacement as a secondary response to primary faulting along nearby active faults. However, the proposed project has been designed to mitigate this condition through the construction of uniform, engineered fill cap in conjunction with stiffened foundation systems in these locations.

Two landslides and several areas of superficial instability have been mapped near the project site. The area in the north portion of the project site would not be graded and capacity has been provided within a proposed debris basin to contain any landslide debris. The landslide in Devil Canyon is considered potentially unstable and no development is proposed in this location.

Implementation of the proposed project would involve excavating an estimated 2.24 million cubic yards of earth. Erosion associated with site preparation would be temporary and would cease upon completion of construction activities. No significant erosion impacts would result from the proposed project.

With implementation of the recommended mitigation measures, no significant unavoidable impacts would occur.

Hydrology and Water Quality

Implementation of the proposed project would result in approximately 22% of the site being developed with impervious surfaces. Although peak storm water volume runoff from these impervious surfaces would increase during significant storm events, the total peak storm water volume runoff from the entire drainage area, including the project site, would be significantly reduced because of the removal within four proposed debris basins of approximately 4,590 cubic yards of solid materials, which are a normal part of total storm water volumes.

In addition, the four proposed debris basins will detain the storm water runoff prior to discharge into the proposed storm drain system, thereby providing additional time for the storm water to percolate into the underground.

With implementation of the recommended mitigation measures, no significant unavoidable impacts would occur.

Noise

Construction

Varying levels of construction noise may be heard in different parts of the project site during the project's total construction period. With the combination of an adequate distance buffer, terrain

shielding, and compliance with County ordinances, construction activities would not result in a significant noise impact.

Traffic Noise

Without consideration of background freeway noise, the proposed project would create a maximum off-site noise impact of 6.9 dB above the future no project condition. However, when background freeway noise is considered, the greatest project increase would be 1.9 dB. All other roadway segments would experience a noise contribution of 2.0 dB or less. Off-site noise impacts would be less than significant.

On-site Noise

Some lots would have a maximum noise exposure of 73 dB CNEL; Other lots would have an exterior loading of 65 to 72 dB CNEL. The remainder of the project site would have an exterior loading of less than 65 dB CNEL. However, with implementation of mitigation, impacts would not be significant.

Public Services-Fire Protection and Police Protection

Additional manpower, equipment and facilities will be needed to serve the project. However, with the implementation of mitigation measures, including participation in the fire mitigation funding program and project related tax-base expansion, impacts will be reduced to less than significant levels.

Libraries

An additional 2,856 additional items and additional 500 square feet of library space will be required to serve project residents. The applicant will be required to pay the established library mitigation fee. With mitigation, impacts on library services will be reduced to less than significant levels.

Transportation/Traffic

A traffic analysis prepared for the project analyzed several intersections and found that with implementation of identified mitigation measures, impacts would be reduced to a less than significant level. At full build out, the project would be expected to generate approximately 4,874 daily trips and would result in significant impacts to three of the study intersections. However, with mitigation incorporated, these impacts can be reduced to less than significant levels.

Utilities and Services Systems – Water Supply

The proposed project is within the Las Virgenes Municipal Water District service area. The proposed project is consistent with the Water District's master plan and would not have a significant impact on the Water District's ability to meet its objectives as described in the plan. Implementation of the proposed project would result in an average daily water demand of

approximately 563 acre feet per year. This represents less than three percent of the Water District's supply and would not result in a significant impact.

Utilities and Service Systems – Waste Water

The proposed project would generate approximately 169,400 gallons of waste water per day. Adequate future capacity exists in the appropriate treatment plan to serve the needs of the project and no significant impacts are expected.

Utilities and Service Systems – Solid Waste

Implementation to the proposed project would result in generation of approximately 5,920 pounds of solid waste per day. Adequate land fill capacity to exist to service project demands and no significant impacts are expected.

Utilities and Service Systems – Electricity

The implementation of proposed project would result in the conception of approximately 2,723-226 kilowatt hours of electricity per year. Sufficient capacity exist to service the proposed project and no significant impacts are expected.

Utilities and Service Systems – Natural Gas

The proposed project is expected to consume an estimate of 38,710 cubic feet of natural gas per year. Sufficient capacity exist to service the project. Therefore no significant impacts are expected.

Alternatives

The *CEQA Guidelines* require that a reasonable range of alternatives to the proposed project be described and evaluated, which could feasibly attain the basic objectives of the project. The *CEQA Guidelines* require identification of such an alternative, which would reduce and/or eliminate significant adverse impacts associated with the proposed project.

Three alternatives to the proposed project have been evaluated. A brief description of each alternative follows along with a determination of the environmentally superior alternative as required by CEQA.

1. Alternative 1 – No Project (No Construction)

Under Alternative 1: No Project (No Construction), it is assumed that no further development within the project area would occur.

This is considered the environmentally superior alternative, because it would reduce significant impacts associated with the project to a level of insignificance. However, this alternative would not meet any of the applicant's objectives and would preclude the

realization of several beneficial impacts (i.e., access and drainage system improvements, and economic benefits in the form of property and sales taxes).

2. **Alternative 2 – Certificate of Compliance Buildout (525 Residential Units)**

Under Alternative 2, it is anticipated that development would occur on a lot by lot basis over the residential lots which have been merged through the use of Certificates of Compliance. This alternative assumes no development of the 74 acres within the project site, which were not previously subdivided. Therefore, the site acreage under this alternative would be approximately 230 acres in size, but the total disturbed area would be reduced to approximately 126 acres. Development of these lots could be based on a series of Lot Line Adjustments, configured in such a manner so that an infrastructure system could be developed in accordance with all applicable County standards, including design review under a Conditional Use Permit (CUP) for Hillside Management.

3. **Alternative 3 – Reduced Density Alternative (171 Residential Units)**

This alternative consists of 171 lots designed to create a reduced density residential community. Each lot would be a minimum of 20,000 square feet in size. Total disturbed acreage under this alternative would be reduced from approximately 164 acres to approximately 131 acres, including approximately 22 acres for both the project and the alternative for fuel modification. As with the proposed project, no plans for buildings or accessory-equestrian facilities are proposed at this time. This alternative would require essentially the same access and circulation, and utility and infrastructure systems as the proposed project. Open space areas would increase by approximately 33 acres from the proposed project. For the purposes of this analysis, it is assumed that construction activities would be similar to the proposed project.

In accordance with CEQA, if the environmentally superior alternative is the No Project Alternative, another alternative must be identified as the environmentally superior alternative. Therefore, Alternative 3 – Reduced Density Alternative (171 Residential Units) is the environmentally superior alternative. Implementation of this alternative would reduce most of the impacts as compared to the proposed project. However, this alternative has been rejected by the applicant in favor of the proposed project because when cost is factored with already incurred land acquisition costs and market factors, this alternative becomes economically infeasible.

CORRESPONDENCE RECEIVED

Staff has received comments on the Draft Environmental Impact Report from the following agencies:

- Las Virgenes Municipal Water District
- City of Los Angeles Department of Transportation
- Southern California Association of Governments (SCAG)

In addition numerous comment letters were received from the public.

A total of 212 letters, representing 103 households have been received to date. The following is a summary of the concerns expressed in these letters:

- The EIR is inadequate in regards to landslides, hydrology, mitigation measures, animal regulations, schools, libraries, police and fire issues, traffic and General Plan density
 - Increased traffic
 - Construction impacts to Twin Lakes area
 - School overcrowding
 - Destruction of natural beauty/Biota impacts
 - Guarantee of open space dedication
 - Traffic congestion on roads south of the 118 Freeway
 - Mitigation Oak Trees should be larger than 15 gallons
 - Storm water run-off
 - Fire protection
 - Sheriff protection
 - Proposed parks are inadequate in size
 - Horse and rider safety during construction
 - Change in lifestyle
 - Noise impacts
 - Impacts on City libraries
- In addition to the concerns expressed above, staff has received phone calls and letters from adjacent property owners to the north and east concerned about access to their properties. They are particularly concerned that the 10' wide strip of land deeded to the Santa Monica Mountains Conservancy provided for in the property acquisition agreement along the north, south and west property boundaries will prevent future access. It is County policy to ensure that property does not become permanently landlocked due to adjacent development and to maintain existing legal access. However, it has not been demonstrated that legal access is being impeded by the project. If evidence exists that property owners have legal access easements, those rights would be preserved. If only physical access exists, property owners could pursue their easement rights in court.

The applicant did conduct meetings to explain the project to neighbors and to listen to their concerns. In order to respond to the concerns expressed by the public, the applicant has proposed numerous additional "community" conditions of approval for the project. A copy of those proposed conditions is attached and they can be incorporated if they are determined to be

appropriate. These conditions include: a sheriff's substation, additional public recreational trails, temporary trails during construction, monies to be used by the appropriate local property owners association for the construction of signs, road improvements, monuments, mail boxes, mail box shelters, street signs, and any other community improvement that the entity deems appropriate, funding for public sewer in the Twin Lakes community, increased funding for park amenities beyond the Project's Quimby obligation, enhanced turn signalization, open space and pocket park enhancements, and increased construction activity limitations.

STAFF EVALUATION

The proposed project has been reviewed by staff to determine consistency with the General Plan. As discussed the project is consistent in that it is below the mid-point of the range of densities. The urban to non-urban density transfer is logical given the topography and location of the non-urban designated property. However, consistency with the applicable General Plan policies must ultimately be demonstrated to the satisfaction of the Regional Planning Commission. The project design minimizes adverse visual impacts on neighboring residential uses and clusters development on the least environmentally sensitive areas of the site. The project would provide active and passive recreational opportunities for both future residents of the project and the surrounding community. The provision of 484 single-family residences meets the goal of providing additional housing opportunities.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission finds that the applicant has met the Burden of Proof for the Conditional Use Permit and Oak Tree Permit and is satisfied that the project is consistent with the goals and policies of the General Plan, especially as related to transfer of density from urban to non-urban areas, staff recommends that the Regional Planning Commission approve the Environmental Impact Report, Conditional Use Permit 99-239-(5), Oak Tree Permit 99-239-(5) and Vesting Tentative Tract Map 53138-(5).

SUGGESTED MOTION

"I move that the Regional Planning Commission close the public hearing and indicate its intent to approve the Environmental Impact Report, Conditional Use Permit 99-239-(5), Oak Tree Permit 99-239-(5), and Vesting Tentative Tract Map 53138-(5) and direct staff to prepare the Final Environmental Impact Report, and findings and conditions for approval".

Attachments:

TENTATIVE TRACT MAP NO. 53138
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)

Factual
Draft CUP Conditions
Draft Oak Tree Conditions
Draft Tract Conditions
Supplemental Community Conditions
Burdens of Proof
Slope Density Analysis
Thomas Guide Map
Land Use Radius Map
Tentative Tract Map 53138
Water Availability letter
Sewer Availability letter
Correspondence
Booklet Prepared by Applicant
Photo Exhibits
Environmental Impact Report (4 volumes)

Report prepared by Ellen Fitzgerald



Los Angeles County
Department of Regional Planning
Director of Planning James E. Harll, AICP



April 4, 2002

TO: Esther L. Valadez, Chair
Harold V. Hesley, Commissioner
Leslie G. Bellamy, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: CONDITIONAL USE PERMIT 99-239-(5)
OAK TREE PERMIT 99-239-(5)
TENTATIVE TRACT MAP 53138-(5)

The subject project was heard by the Regional Planning Commission on January 23, 2002. The Commission heard the applicant's presentation of the proposal and testimony from numerous neighbors concerned about the potential impacts this project will have on the surrounding community and the natural environment. After hearing a brief statement from the applicant that he preferred to postpone his rebuttal, the Commission expressed its interest in seeing the project site, scheduled a field trip for Saturday, April 6, 2002, and continued the public hearing to April 10, 2002.

Staff has the following information to provide on what has occurred since January 23, 2002.

- Staff attended two community meetings on the proposed project. Various community groups were represented at the two meetings. While the groups represent different interests they seem united. The concerns expressed at the meetings were many but a brief summary of them includes:
 - Traffic impacts on the surrounding neighborhoods, especially on those south of the freeway off Canoga Avenue.
 - Lack of roadway connections south of the 118 Freeway will result in zigzagging traffic through residential neighborhoods.
 - Impacts on already overcrowded schools and other city services.
 - Dangers to children and equestrians due to increased traffic volumes.

-Impacts on the wildlife in the area, especially in association with the continued construction on the adjacent Porter Ranch development.

-The rural, equestrian character of Chatsworth should be maintained.

-The proposed project should be reduced in size. The density is too high.

- Staff has received a substantial amount of written correspondence on the project. Due to the volume of letters, and the fact that many provided alternatives which need to be analyzed, it is not possible at this time to provide the Commission with an in-depth evaluation of the correspondence. However, again, a summary of the issues raised include:

-Topanga and Canoga are inadequate for ingress/egress.

- Noise and safety issues if Canoga is widened.

-Traffic will be particularly bad during rush hour or in an emergency.

-There will be increased air pollution and other health hazards.

-Smaller residential streets, especially Celtic Street will be used as shortcuts and become too busy.

-Children walking to school will be unsafe.

-Access to De Soto should be provided.

-Increased traffic during construction.

-Project should be lower density - keeping with community character. They want to ensure/maintain horse trails and protect the ridgeline.

-There will be infrastructure burdens on streets, schools, post office, parks, hospital and library.

-Adverse affects to wildlife and water pollution in Devil's Creek.

Attached are copies of the letters which have been received to date. Also included is a booklet prepared by the applicant's representative to provide you with an up-date.

PROJECT NO. 99-239-(5)
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)
TENTATIVE TRACT MAP NO. 53138

STAFF ANALYSIS
FOR JUNE 19, 2002 REGIONAL PLANNING COMMISSION PUBLIC HEARING
(CONTINUED FROM JANUARY 23, 2001 AND APRIL 10, 2002)

The Commission last heard testimony on this project on April 10, 2002. On that day the Commission requested that additional information be provided concerning possible alternative access to the project site including the use of Brown's Canyon Road and De Soto Avenue, improvements or alternatives to the design of the stormwater system for the project to avoid the use of Devil's Canyon and investigation of the access issues raised by property owners to the north of the project site.

Ingress/Egress Alternatives

The Commission directed the applicant to explore the feasibility of providing a secondary means of access from the project site, possibly utilizing Brown's Canyon Road to De Soto Avenue. De Soto Avenue is located to the east of the project site and has access to the 118 Freeway.

The project engineer has investigated possible access alternatives and has identified one possible realignment alternative which will be presented to the Commission.

The Commission also asked the applicant to explore the feasibility of using a gate system to limit traffic onto Canoga Avenue. This alternative has been researched and the applicant will be able to discuss it at the public hearing. Additionally, the Fire Department may wish to comment on this proposal.

Stormwater run-off

In response to testimony, the Commission requested additional information on the proposed stormwater system. Testimony centered on possible improvements to stormwater quality prior to its being redirected into Devil's Canyon and the potential for the stormwater to be deposited directly into an existing improved channel. The applicant has submitted a new drainage study to the Department of Public Works for diversion from Devils Canyon to the improved Brown's Canyon channel. At this time DPW has not analyzed that report but should be able to provide additional information at the public hearing.

The project engineer will also be able to answer the Commission's questions.

Access to the north

Owners of property located to the north of the subject property have expressed their concerns that the approval of the project would "land lock" their property. The owners of the northerly properties state they have used the roadways within the Deerlake Highlands Record of Survey to access their properties. Information available to staff indicates that the roadways within the Deerlake Highland Records of Survey were internal private access easements. Testimony at the April 10, 2002 public hearing conflicts with this assumption as it was stated that a title report for at least one of the properties indicated that Saugus Road was a publicly dedicated street. Though that title report was requested by the RPC, staff has not received it to date.

It is County policy to not create landlocked parcels, and therefore to require access over the streets of proposed subdivisions if no other access exists. It is not County policy to require secondary access to properties where other access exists for matters of convenience or to facilitate future development.

Investigation into the access rights of the properties to the north has found no existing easements of record over the area of the proposed project. It appears that most of the properties to the north **do** have legal access to Brown's Canyon Road, and therefore are not landlocked. However, no access at all was found for the lots located within the Deerlake Ranch addition, the small lot area to the northwest of the project site. Staff research indicates that the lots of the Deerlake Addition were created not in compliance with the requirements of the Subdivision Map Act. Additional research through the Certificate of Compliance process may be necessary to resolve access issues for this area.

Of course, the northerly property owners have the right to research the existence of easements, or to pursue court action to confirm any prescriptive rights which they may have due to use of the easements within Deerlake Highlands. Any easements discovered, or granted by court action, would have to be honored by the property owner, either Presidio Chatsworth Partners, or the Santa Monica Mountains Conservancy (SMMC). The Commission will recall that the SMMC owns a 10' strip of land surrounding most of the project site. Though the SMMC submitted a letter in January concerning the desirability of purchasing the Joughlin Ranch, one of the northerly properties, no further comments have been received.

Project redesign

The Commission will recall that the applicant briefly presented a redesign of the project at the public hearing on April 10, 2002. Though the Commission did not indicate that the proposed redesign adequately addressed the request for a reduction in density and inclusion of equestrian lots, the applicant has submitted a revised tentative tract map to allow staff to schedule the Subdivision Committee's technical review. The revised map has not yet been cleared by the subdivision committee and therefore, will not be presented by staff at the continued public hearing on June 5, 2002. However, staff felt a summary of the changes shown on the revised map might be helpful to the Commission.

- Number of residential lots reduced from 484 to 428 resulting in a reduction in density of 12%, which would result in a reduction in project impacts
- 24 proposed lots will exceed 15,000 square feet, the minimum for keeping horses. These larger equestrian lots will be located at the outer edges of the property in the northern portion of the site.
- 111 lots will average in excess of 14,000 square feet and are proposed to be located on gated, private and future streets.
- 263 lots will average in excess of 10,000 square feet
- Overall lot size average of 11, 881 square feet

The revised map must be fully evaluated by the subdivision committee for technical feasibility. In addition to the review of the map, the revised project information would need to be included in the Environmental Impact Report. An analysis of the revised project's impacts has not been completed.

In addition to the issues raised on April 10, 2002, there are other outstanding issues. During testimony at the public hearing, at community meetings, the most recent one held on June 6, 2002, and in written comments, community members asked numerous questions concerning the project and its potential impacts. The Commission requested answers to these questions and staff has attempted to get those answers. Due to the number of issues raised, and their complexity, some answers are not yet fully available. However, the following information may be helpful. Of course, responses to comments regarding project impacts will be provided in the Final EIR.

Land Use and Density

In response to the community's concern that the proposed project be consistent with the surrounding equestrian neighborhood, an evaluation of surrounding land uses and density has been done. Staff hopes to be able to provide an aerial photo of the surrounding area at the public hearing to visually assist the Commission.

- The area within the City of Los Angeles located between Andora Avenue and De Soto with Chatsworth Avenue to the south and the 118 Freeway to the north is designated Very Low 1 by the Chatsworth-Porter Ranch Community Plan and is generally zoned RE20 (17,500 sq. ft. min lot size). The density within this area is approximately 1.6 units per acre. Average lot size is 17,100 square feet. Approximately 31% of the lots within the area are zoned for equestrian use and of those about 4% keep horses. Since the area is generally flat, no clustering of units occurs.
- Using the 428 residential unit proposal, the project density is 1.8 units per acre, clustered on 117 acres of the project site. The average lot size is approximately 11,881 square feet. 11% of the lots would be large enough (minimum 15,000 sq. ft) to allow keeping of horses.

Staff has met with planners from the City of Los Angeles who indicate that the project site is located within the boundaries of the city's Sphere of Influence and that the city is moving forward with an application to LAFCO. A status report dated May 2, 2002 indicates that the city has prepared the necessary maps and bounds survey and is gathering additional information.

City and County staff have been working together and sharing information related to the project site. City staff will be in attendance at the public hearing and available to answer the Commission's questions.

Traffic

Traffic impacts of the proposed project on adjacent neighborhoods have been a major item of concern and there is continuing investigation on this topic. A meeting will be scheduled within the next few weeks with community members, DPW staff, LADOT staff and the project's traffic consultant to discuss the traffic situation. The following is a brief summary of traffic related issues:

- In addition to the Los Angeles County Department of Public Works, the City of Los Angeles Department of Transportation (LADOT) has reviewed the traffic

study and commented on necessary mitigation measures. The mitigation measures required by LADOT would be included in any conditions of approval.

- Caltrans has also reviewed the traffic study and recommended mitigation measures will be included in any conditions of approval.
- Porter Ranch was included in the traffic report as a related project. Since the projected build-out date of Deerlake Ranch is 2005, an estimate of 50% of total Porter Ranch traffic was assumed to be in place by that date. Currently, approximately 30% of Porter Ranch has been built. In addition to specific traffic from related projects, a 2% growth rate forecast was included in the traffic analysis.
- Significant improvements to the 118 Freeway and Topanga Canyon Boulevard are required mitigation for this project, including widening the westbound off-ramp, widening Mayan Drive and Poema Place and modification of traffic signalization. The traffic study indicates that project traffic would comprise less than 1% of total traffic on Topanga Canyon Boulevard south of the 118 during am and pm peak hours.
- Canoga Avenue is designated a Secondary Highway by the City of Los Angeles, with a capacity of 20,000-30,000 vehicle trips per day. Redesignation of Canoga Avenue as a Collector Street, (north of Chatsworth Ave) would result in a capacity of 10,000 vehicle trips per day. With the project, volume on Canoga Avenue would increase to 6,190 vehicle trips per day. At present, no mitigation measures are required on Canoga Avenue, but the project applicant has proposed voluntary improvements as a way to minimize impacts. Construction related traffic can be conditioned to avoid Canoga Avenue.

School Impacts

The information received from the Los Angeles Unified School District (LAUSD) administration on student generation and school capacity which is contained in the Draft EIR appears to be in conflict with information received by parents from local school officials. Testimony at the public hearing included stories of students being turned away from already overcrowded schools, while the EIR data indicates there is surplus capacity. Updated information on student generation and school capacity will be requested from LAUSD in an attempt to resolve the inconsistencies in information. Also, community members have suggested that school fees required for the project be allocated directly to schools in the local area, and not spent in other areas of the district.

and that previously closed schools should be repaired and reopened. Clarification of school district policy related to these issues will be requested from LAUSD.

Oak Trees

Community members have requested that the required mitigation trees be planted on-site, rather than off-site, and has asked why the standard mitigation trees are generally small in size. 15 gallon replacement trees are the recommended size.

Staff contacted the County Forester who indicated that on-site mitigation planting **is** possible and therefore recommended that a condition requiring that all mitigation trees (130) be planted on the project site be included. In response to the question concerning the size of mitigation trees, the forester stated that experience has shown that smaller sized trees tend to grow faster than larger ones, however, the condition could be changed to require 24" trees instead of 15 gallon. He also indicated that replanting of removed trees is possible, however, not all removed trees are good candidates for relocation and the survival rate of transplanted trees is much less than 100%. Also, relocated trees are not counted as mitigation plantings so any replanting of removed trees would be in addition to the standard 2:1 mitigation ratio.

Not-a-Part (NAP) parcels

The project applicant has submitted a proposal for inclusion of currently excluded lots of the underlying Deerlake Highlands Record of Survey if they become available in the future. Generally, any change to the boundaries of a subdivision would require the approval of a revised map, a different procedure than that proposed by the applicant. However, it may be possible to do a lot line adjustment for any of those parcels which have an approved Certificate of Compliance. Decisions on the proper procedure for inclusion of the NAP lots should be deferred to such time as they become available. Other conditions proposed by the applicant for the NAP parcels, provision of legal and physical access, and construction of roadways and trails would already be required conditions of approval of the tentative map. Therefore, staff recommends that the applicant's NAP conditions not be included in any conditions of approval.

La Vina

The project applicant was involved in the approval process of the La Vina project in the Altadena community. Recently concerns related to compliance with required conditions of approval of that project have been brought to the attention of County staff. Staff feels that the enforcement of required conditions is important and coordination between the individual departments who impose conditions is vital to ensure that all are met.

Any conditions of approval for the Deerlake Ranch project will be drafted to be as “enforceable” as possible. Conditions will be monitored to ensure that all are met. [

Certificate of Compliance buildout

As mentioned in a previous staff report and discussed at the public hearing, the subject property is known as Deerlake Highlands, named after the Records of Survey which subdivided approximately 161 acres of the property in 1927. Prior to the enactment of the Subdivision Map Act in 1929, the record of survey was a legal procedure for subdivision of land, provided the record of survey was recorded with the County Recorder. The Deerlake Highlands Records of Survey created approximately 2,500 lots, of about 2,500 square feet in size. Though substandard by the lot area requirements subsequently established by the zoning ordinance, the 2,500 square foot lot size was not inconsistent at the time the Records of Survey were approved as there was no minimum lot area requirement. The existence of these lots has been known to the County and is reflected by the zoning and General Plan designation for the property (R-1-6,000/Rural Communities). Each of the lots was considered a “created” parcel and as such was eligible for a Certificate of Compliance to confirm its legal status. A Certificate of Compliance, per Section 66499.35 of the Subdivision Map Act, is the procedure to confirm legal status for lots created by means other than tract or parcel map. The approval of a Certificate of Compliance allows a parcel to be sold, leased or financed without further compliance with the Subdivision Map Act.

In 2000, at the request of the project applicant, staff began processing Certificates of Compliance for each of 624 merged parcels. The merged parcels meet the requirements of the Rural Communities designation and the R-1-6,000 zoning.

Staff has evaluated the possibility of the project site being developed based on the approved unconditional Certificates of Compliance. The following is staff’s preliminary determination of entitlements necessary to construct a project based on the existing Certificate of Compliance lots:

- A Conditional Use Permit would be required for compliance with Hillside Management design review criteria, grading, and possibly for infrastructure construction.
- Approval of an Oak Tree Permit depending on the proposal’s design.
- Environmental Review, most likely an EIR, would be required in association with the CUP.

- Site plan approval of project design for adherence to setback and height requirements.
- Grading permit approval by the Department of Public Works.
- Infrastructure plan approvals by the Department of Public Works.
- Demonstration of adequate water supply.
- Sewage system capacity.
- Building permit approval from the Department of Public Works.
- Construction approval from the Fire Department.

Staff believes no subdivision map, density determination or analysis of the proposal's compliance with the General Plan would be required. Also, requirements for development on existing lots imposed by other County departments tend to be less stringent than those imposed on subdivisions. However, further analysis of the procedure to be followed is necessary and discussion with other affected County departments may be required.

SEA study

The status of the restudy of the County's Significant Ecological Areas (SEA's) has been mentioned by several members of the community. The draft map showing proposed and expanded SEA's includes the project site, and recommends a density of 1 unit per 10 acres.

At the present time, the SEA proposal is in a draft format and staff is in the process of reviewing the recommendations made by the project consultant, including determination of the accuracy of mapping and identification of resources. It is expected that the SEA study would not be ready for public hearing before the RPC until late fall of this year.

Additional community conditions

The applicant has proposed supplemental conditions of approval. The community is concerned with enforcement of these conditions and has requested assurances that the conditions will be met. In an attempt to provide the community with reassurance, the applicant has proposed the following:

- Making available the name and 24 hour phone number of a site representative for reporting of complaints of failure to comply with conditions
- An enhanced fully funded monitoring program providing for monthly inspections by DRP staff, in addition to normally scheduled inspections, for the first 4 years of project grading and construction.

Staff has begun consideration of the applicant's proposal but has not yet determined its acceptability. In addition to a decision on monitoring of conditions, staff is also still reviewing the proposal for a sheriff storefront office and provision of temporary trails during construction. Input from other County departments on these items is anticipated shortly.

The Supplemental Community Conditions would be required to be added to the conditions of approval for either (or both) the Conditional Use Permit or Tentative Tract Map. Staff would need to evaluate the language of the conditions for consistency with standard County conditions and for enforceability.

The project applicant has provided the attached package of information for your review. Also attached are comments received since April 10, 2002 and the January 28, 2002 letter from the Santa Monica Mountains Conservancy.

Staff anticipates that the June 19, 2002 continued public hearing will provide the Commission the opportunity to have outstanding issues addressed and will result in direction to the applicant and staff as to how to proceed with additional review of the proposed project.

Attachments

Comment letters
Santa Monica Mountains Conservancy letter
Applicant's materials



Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP



August 15, 2002

TO: Esther L. Valadez, Chair
Harold V. Helsley, Commissioner
Leslie G. Bellamy, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald JK
Land Divisions Section

SUBJECT: **DEERLAKE RANCH PROJECT**
CONDITIONAL USE PERMIT 99-239-(5)
OAK TREE PERMIT 99-239-(5)
TENTATIVE TRACT MAP 53138

Attached is an updated report on activity on this project since the last continued public hearing on June 19, 2002.

As mentioned in the report, staff has met several times with the community at the request of Supervisor Antonovich's staff, and has presented answers to the questions generated by the Environmental Impact Report and public hearing process. During these meetings it was clear that the community was still committed to a reduced density project and hopeful that the developer would be agreeable to that request.

Staff has received a request from the project applicant for a continuance which indicates that they would like to present an alternative design with a further reduction in density. A copy of that letter is attached.

PROJECT NO. 99-239-(5)
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)
TENTATIVE TRACT MAP NO. 53138

STAFF ANALYSIS
FOR AUGUST 21, 2002 REGIONAL PLANNING COMMISSION PUBLIC HEARING
(CONTINUED FROM JANUARY 23, 2001, APRIL 10, 2002 AND JUNE 19, 2002)

The Commission last heard testimony on this project on June 19, 2002. On that day the Commission requested that additional information be provided concerning the potential for the development of the properties to the north of the project site, the possibility of an alternative means of access to the project site via De Soto Avenue, the availability of services from the City of Los Angeles to the future residents of the project, the potential for build out of an alternative development plan for the project site based upon the certificates of compliance approved for the 624 merged lots of the underlying Deerlake Highlands Record of Survey and directed staff to provide answers to community-generated questions and concerns.

Community-generated questions

Since the last Commission hearing, staff and the applicant have participated in four lengthy community meetings, facilitated by Supervisor Antonovich's staff. The numerous questions which this project has generated were gathered into a manageable format and staff from the County and the City of Los Angeles met with community members to provide answers to each of them. In addition to the answers provided in person to the community, the responses to the comments received on the Draft EIR and at the public hearing will be addressed in the Final EIR's Responses to Comments.

The applicant assisted staff in gathering information for responding to the questions at the meetings. The applicant has provided a complete list of questions and answers which is attached.

Additional Environmental Review

Staff required the project's EIR consultant to prepare and circulate additional environmental information due to changes in the project design and to address issues raised during public testimony. This additional information document addressed the following four topics: (1) growth-inducing impacts of the project related to the proposed "tap" street to the north, (2) the relationship of the project site to the proposed Santa Susana Mountains/Simi Hills Significant Ecological Area, (3) a revised Alternative 2 to the project utilizing the 444 unit Certificate of Compliance build-out scenario discussed during testimony on June 19, 2002, and (4) a reduced density alternative (Alternative 4) to the project. Alternative 4 is a 424 unit project which is discussed in detail later in this report.

The Additional Environmental Information has been circulated for public review and comment for a period of 30 days which began on July 22, 2002. A copy of the document is attached.

Project Redesign

On June 19, 2002, the Commission provided brief comments on the 428 unit project design which had been discussed by the applicant at the April 10, 2002 public hearing. The Commission indicated that the larger lots depicted on that revised map on the westerly and northerly edges of the property helped to create a more rural theme for the community and encouraged the applicant to consider expanding the number of larger lots on the project's outer edges. The applicant has submitted a revised map, which has been reviewed by the subdivision committee and as noted above, is included as an alternative in the additional environmental information document. The 424-unit project has been reviewed by the Subdivision Committee but has a couple of outstanding technical holds which would need to be resolved before the design could be recommended for approval.

The following is a summary of the features of the revised map:

- Number of residential lots reduced from 428 to 424, with the larger lots along the perimeter of the project site
- A total of 45 proposed lots will exceed 15,000 square feet, the minimum for keeping horses. These larger equestrian lots are generally located at the outer edges of the property in the northern and western portions of the site, though there are some located in the center of the project, at the ends of cul-de-sacs.
- 85 lots will average in excess of 14,000 square feet and are proposed to be located on gated, private and future streets
- 181 lots will average in excess of 10,000 square feet
- Overall lot size average of 13,149 square feet.
- A future street, conditioned to be 64 feet in width, is shown at the project's northern boundary, towards the easterly side of the project, extending from an interior street.

Community members have expressed concern that even if the lots total at least 15,000 square feet in size it is not guaranteed that horse keeping will be allowed unless the homes are constructed to ensure that health and zoning requirements for maintaining horses can be met. The applicant has indicated that the homes can be placed on the lots to ensure that the regulations of applicable ordinances can be met.

The applicant will present design standards to the Commission for inclusion in the conditions of approval, reflecting a rural theme for the community. The applicant has devised additional conditions through consultations with various community members, which will be provided to the Commission by the applicant.

Feasibility of the Certificate of Compliance Alternative Plan

The Commission will recall that the underlying Deerlake Highlands Record of Survey subdivision consisted of approximately 2,500 small lots. The applicant applied for, and was

given approval of, 624 unconditional certificates of compliance by merging the original 2,500 lots into lots with a minimum of 6,000 square feet to be consistent with the current R-1-6,000 zoning on the project site. The recorded certificate of compliance certifies that the "parcel complies with the applicable provisions of the State Subdivision Map Act and of the County Subdivision Ordinance" but "DOES NOT GUARENTEE that the subject property meets current design and improvement standards for subdivided parcels".

On June 19, 2002 the Commission heard discussion of the applicant's Certificate of Compliance build-out scenario, which would result in a total of 444 lots. This alternative is also discussed in the additional environmental information document. The 444 lot total represents use of the 624 lots with unconditional Certificates of Compliance, minus area required for road improvements. The Commission asked staff to investigate whether or not the 444 lot proposal represented a feasible density.

Staff of the Departments of Regional Planning, Public Works and Fire have met to discuss the build-out potential of the Certificate of Compliance lots. Staff used the applicant's engineering and environmental work in designing the 444 lots as a starting point. It was determined that any development utilizing the Certificate of Compliance lots would necessitate the approval of a grading permit and most likely, a Conditional Use Permit for grading and hillside development in order to construct bridges to improve access to the existing lots. Though the Conditional Use Permit would give the County discretionary review over the project, staff is not certain the extent to which discretionary authority can be imposed on the density of the Certificate of Compliance build-out scenario. Further review of case law related to the development of lots granted unconditional Certificates of Compliance may be necessary.

As required by CEQA, an environmental analysis of the Certificate of Compliance build-out alternative would be required. However, it is expected that the project impacts associated with such a scenario would be similar to that which was prepared to analyze the 484 unit project.

In lieu of a proposal for the development of the entire project site utilizing the 624 existing certificate of compliance lots, the applicant could sell the existing lots to individuals. This scenario probably would include the current developer making necessary infrastructure improvements following the procedure mentioned above, and then selling lots to individual owners who would then request building permits for construction.

Properties to the North of the Project Site

Owners of property located to the north of the subject property have expressed their concerns that the approval of the project would eliminate access to their property. The general practice of the Commission is to promote neighborhood circulation, and therefore to require access over proposed subdivisions if no other access exists. However, if other access does exist it is not County policy to require secondary access to neighboring properties for matters of convenience or to facilitate future development.

Early in the processing of this project, staff had indicated to the owners of the northerly properties that they should pursue any prescriptive access rights they may have over the project site in court. As the streets of the Deerlake Highlands Record of Survey were **not** dedicated

streets, access would only be in the form of an easement of record as stated in a grant deed, or a prescriptive easement verified by the court. To date, none of the owners have come forward indicating that they have either forms of legal access.

As a good deal of testimony has been heard concerning provision of access to these properties, and in response to this testimony the Commission's direction that existing access should be maintained, staff is requesting the applicant offer a 64' wide future street for dedication to the County to provide access to the properties northerly of the project site. The applicant has shown this future street at the project's northern boundary, towards the easterly side of the project, extending from an interior street. This is the most feasible location for a "tap" street and no additional access to the northerly properties will be requested by staff. The proposed future street was analyzed in the additional environmental information as a potential growth inducing impact of the proposed project. The additional environmental information concluded that a maximum of 137 single family residential units could be developed on the property to the north and that providing access would not be a significant growth-inducing impact on a regional basis.

City and County Services

The project site need not be a part of the City of Los Angeles for the future residents of Deerlake Ranch to receive services from the City. The residents of Deerlake Ranch will share utility and other public services with the nearby residents of the City. In addition, the City and County Fire Departments have mutual aid agreements, which will ensure that the future residents of the Deerlake Ranch project will receive adequate public services. Detailed information on the County and City Fire Department's response to emergencies was given by County Battalion Chief Singer at one of the community meetings and is included in the applicant's attached information.

Alternative Access via De Soto Avenue

At the last public hearing, the applicant presented to the Commission various obstacles to the provision of access to the project site via De Soto Avenue. The Department of Public Works has not reviewed the alternative; however, staff feels that the alternative is not feasible. Attached is a summary of the De Soto Avenue access issue, prepared by the applicant.

Supplemental Community Conditions

During the community meetings, concern over compliance with project conditions of approval was mentioned numerous times. The applicant has proposed supplemental conditions and the community indicated they wanted assurances that those conditions would be met. Attached are the applicant's proposed supplemental conditions. As staff has not yet drafted conditions incorporating these, at this time they are not in a format where enforceability can be assured.

Additional Written Comments

Staff has received additional written comments and those letters are attached for your review.

Attachments

De Soto Avenue access analysis

Supplemental Conditions

Comment letters

Additional Environmental Information

Applicant's materials



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

September 5, 2002

TO: Esther L. Valadez, Chair
Harold V. Helsley, Commissioner
Leslie G. Bellamy, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: **DEERLAKE RANCH PROJECT**
CONDITIONAL USE PERMIT 99-239-(5)
OAK TREE PERMIT 99-239-(5)
TENTATIVE TRACT MAP 53138

The Commission will recall that on August 21, 2002 the project applicant requested a continuance to September 11, 2002.

Staff has received a letter from the applicant again requesting a continuance. The letter indicates that the applicant needs a 60 day continuance to prepare an alternate design and to allow time for the redesign to be circulated within the community.

Attached is a copy of the applicant's letter.

ROJECT NO. 99-239-(5)
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)
VESTING TENTATIVE TRACT MAP NO. 53138-(5)
STAFF ANALYSIS
FOR SEPTEMBER 3, 2003 REGIONAL PLANNING COMMISSION PUBLIC
HEARING
(CONTINUED FROM JANUARY 23, 2001, APRIL 10, 2002, JUNE 19, 2002, AUGUST 21,
2002 AND SEPTEMBER 11, 2002)

The public hearing on this proposal has been continued on several occasions. The most recent discussion of the project occurred on September 11, 2002. On that date, the applicant requested the project be taken off the Commission's calendar so that issues raised by the community could be examined in detail and an alternative project design could be prepared and circulated within the community prior to reconsideration by the Commission. During the past year, representatives of Supervisor Antonovich's office, interested equestrians and area residents met with the applicants, in informal advisory group and sub-committee meetings, to work toward a project design incorporating community requests. The project applicant has submitted a revised project design, it has been reviewed and recommended for approval based on technical feasibility by the Los Angeles County Subdivision Committee and has been advertised and noticed for the September 3, 2003 public hearing.

Previous Project Design

The applicant's proposal previously included a total of 484 single-family residential lots, 7 private and future street lots, 4 private park lots, 1 lot for development with a helicopter landing pad for the use of the Los Angeles County Fire Department and 29 open space lots on the property. That design essentially divided the property into two distinct areas, the first residential area adjacent to Mayan Drive in the Twin Lakes Community consisted of 55 residences and an approximate 1 acre private park, and the northerly area, accessed via two proposed bridge crossings of Devil Canyon, contained the remaining 429 single family residence lots, 3 small pocket parks and the helipad. The most northwesterly portion of the site was proposed to be gated. The residential lots ranged in size from approximately 6,000 square feet to 20,000 square feet with an average lot size of 11,000 square feet. Open space and a trail system surrounded the project.

Revised Project Design

The revised project proposes 388 dwelling units, 29 open space lots, 14 street lots, 1 helipad and 1 sheriff facility lot on the 230.58 acre property. A total of 50 lots will be located adjacent to Mayan Drive at the westerly edge of the site, accessed only by an internal cul-de-sac street from proposed "A street", to provide a buffer to the existing Twin Lakes community. No future lots will abut existing Mayan Drive. These lots will be an average of approximately 8,000 square feet in size. The remaining lots will be accessed via two proposed bridge crossings of Devil Canyon, one the extension of A street, and the other, "B street" an extension of Canoga Avenue

at the east of the site, to the site's northerly plateau area. These northerly lots will be divided into three distinct neighborhoods. The lots will be accessed from a system of mostly single-loaded cul-de-sac streets. The lower neighborhood of 110 lots will consist of average lot sizes of approximately 11,000 square feet. The two most northerly neighborhoods totaling 228 lots will be gated. The northeasterly neighborhood of 136 executive lots will provide average lot sizes of approximately 11,000 square feet and the average lot size in the estate neighborhood will be slightly less than 17,000 square feet. Overall, a total of 155 lots will exceed 15,000 square feet in size and 55 of those will be designed specifically for equestrian use. A system of public and private riding and hiking trails are incorporated into the project design, with a loop system connecting to the Santa Susana Pass trail surrounding the property and an internal trail connecting to the loop system. Additional trails at the rear of the equestrian designed lots to allow easy access to the trail system will also be provided. In addition, the developer is also proposing an equestrian rest area in the northwestern portion of the project, adjacent to the trail.

Two public facility lots are proposed. The sheriff storefront station is located at the entry to the project, at the intersection of "A street" and Topanga Canyon Boulevard and the helipad, for use by the Los Angeles County Fire Department is located at the northeasterly edge of the project site.

29 open space lots are proposed, generally surrounding the development envelope of the project, with a few of them providing amenities such as benches and viewing areas.

The density of the redesigned project is 1.6 units per acre, consistent with the site's General Plan designations and with the overall density of the residential developments nearby. The revised design also has substantially increased the number of lots of 15,000 square feet or greater, from 15, from the previously proposed total of 34. 40% of the proposed lots will exceed 15,000 square feet and 14% will accommodate horses.

The applicant has provided a community character statement and other exhibits which describe in detail the proposed neighborhood design which are included with this report.

The community character statement indicates that the applicant would like to be allowed to use a modified street cross section including rolled curbs and meandering sidewalks and very limited use of low rising, shielded streetlights. Staff has only recently become aware of these modifications and is not certain the extent to which they are requested, however, use of a rural street section is not permitted except in subdivisions where all lots will exceed 20,000 square feet in size, and streetlight modifications are not usually permitted unless the subdivision contains lots in excess of one acre. Modifications of the requirements for standard Department of Public Works improvements require action by the Commission and findings that the improvements are not necessary or will not benefit the community. Staff and the applicant will be able to provide additional details on the requested modification at the public hearing.

Additional project information is provided in a package of information from the applicant's representative, Cox, Castle & Nicholson, included with this report.

Oak Tree Permit

The redesigned project has resulted in a change in the requested Oak Tree Permit. The request has been modified to removal of 61 oak trees and encroachment into the protected zone of an

additional 11 trees. The original request was for removal of 65 trees plus encroachment on 7. The project arborist has met on site with the County Forester to verify the accuracy of the project's oak tree report. Staff has discussed the replanting of required mitigation trees with Forestry staff and it has been determined that on-site planting is feasible and can be conditioned. However, at this time it is not possible to determine if all 122 required mitigation trees will be able to be planted on the site. Staff will work with Forestry to establish the appropriate conditions.

Not-a-part parcels

The tentative map shows several areas designated as Not-A-Part (NAP) of the Subdivision. The map identifies and numbers 7 NAP parcels which represent potential building locations for 10 additional residential units. The tentative map will be conditioned to require access to the parcels, as presently shown. The NAP parcels are presently not owned by or under the control of the project applicant, though attempts have been made to include most of them within the project.

Staff has been contacted by owners or representatives of some of these outstanding NAP parcels. The applicant reports that discussions for purchasing these lots have occurred with these representatives but some outstanding issues remain. Staff recommends the applicant continue to try to include these parcels within their ownership so that they do not remain in unusual locations which could pose potential problems. It is expected that lot line adjustments to include these NAP's within the project's proposed lots would be easily approvable at some future time.

Access to Northerly properties

At the continued public hearing held on June 19, 2002, the Commission requested more information concerning the potential for the development of properties to the north of the project site in response to testimony from property owners concerned that development of the project would prevent access to these properties. Though it is County policy to prevent land-locked parcels, the Subdivision Committee had not previously required the project applicant provide a tap street to the north for a number of reasons. There is no identified legal access through the project site to the north and no property owner had been able to provide proof of existing easements, the majority of the properties had access via Brown's Canyon Road, and as the Santa Monica Mountains Conservancy retains ownership of a 10 foot strip of property at the project boundary access to a tap street would be subject to the approval of an easement by the Conservancy.

In response to the Commission's concerns the applicant did agree to show a tap street connection to provide potential access to the northerly properties and that connection is included in the redesigned proposal. However, since the Commission last discussed the project substantial public acquisition of property in the area to the north of the project site for open space purposes has eliminated most of the need for future access. An exhibit depicting ownership of these northern properties has been provided.

Staff did receive a phone call from an owner of one of the lots in the Deerlake Addition, the record of survey land division to the northwest of the original Deerlake Highlands land division, concerned that the project would prevent access to his lot. Staff explained the tap street would be available if he was able to acquire the necessary easements across other privately and publicly owned property to access it.

Trail connections

Community residents and equestrians have testified that they are concerned about the interconnectivity between the project's proposed riding and hiking trails and those on the adjacent project which provides access to Devil Canyon. The project on the adjacent property, a 65 unit condominium project is pending and scheduled for public hearing before the Commission on September 17, 2003.

Staff has met with the Department of Parks and Recreation's trail coordinator, the project engineer, representatives of Supervisor Antonovich's office and the adjacent project's representatives to discuss the concerns related to trails. One problem which was identified concerned testimony at the public hearing on the condominium project that the community wanted to maintain the "existing easement" across that property to Devil Canyon. The applicant therefore redesigned the condominium project to accommodate the request and moved the trail location to the front of the project site. Since the applicant had previously shown a trail in the northern portion of the property, connecting to Deerlake Ranch's most northeastern trail, the change to show the trail in the "easement" prevented the trails shown on the two maps from clearly connecting.

The actual easement in question is dedicated to the County along the front of the condominium project, not within that applicant's ownership, but within the road right-of-way of Poema Place, an unsuitable location. However, the easement the community was referencing was a trail which has been used by the community directly across the condominium project site, but not a recorded legal easement, which had caused staff and the condominium project applicant confusion, and prevented coordination between the two projects. Staff evaluated the possibility of providing a trail in the general location the community has been using but could not establish a design that would meet County standards. Instead, the trail originally shown along the rear of the property is the most feasible location and will connect to the Deerlake Ranch trail around the project's southwestern boundary.

Staff is confident the trail connection between the two projects can be coordinated and anticipates a map showing trails on both projects will be available at the public hearing to allow further discussion.

Environmental Impact Report

The project description has been revised in an updated project design document which was not recirculated for public review. Section 15087 of the California Environmental Quality Act requires recirculation only if the revision are considered to be significant new information. The DEIR analyzed a 484 unit project. With the reduced project density, all project related impacts

will be reduced. Though the impacts have been reduced, the required mitigation measures will not change and are as proposed in the DEIR.

Recent community meeting

On August 17, 2003 staff attended a meeting with the members of the community advisory team. The project applicant and representatives of Supervisor Antonovich also attended. The community presented concerns regarding outstanding issues including storm water run-off, proposed density and its impacts, and trails issues. In summary:

- The community does not feel the proposal for storm water clean up is sufficient. Without measures for additional clean-up, the project storm-water should not be allowed directly into Devil Canyon. Instead, the water should be diverted to the existing concrete channel, known as the Brown's Canyon channel, located approximately 1 mile downstream.
- The project density is still too high. A reduction to 300 single family lots was presented. The presentation proposed expanding the size of lots, specifically in the most northeastern neighborhood adjacent to the trail, to increase the number of potential equestrian lots.
- Accessible access to Devils Canyon needs to be maintained. The community also is concerned about the availability of long term (all day) parking for both hikers and equestrians who use the trails. Additionally there need to be assurances that the proposed trails on this project and the adjacent condominium development are properly connected.

Staff understands that the community will be presenting their concerns to the Commission at the public hearing. A package of information submitted by community representatives of Save Chatsworth is included with this report.

Voluntary Community Conditions

The project applicant has proposed several additional mitigations to the surrounding community. These include additional traffic-related improvements, installation of sewers and cable television lines in the Twin Lakes community and contributions to a nearby child care center. Though these additional benefits have been agreed to by the applicant, they are not standard requirements. Provision of these improvements can be made conditions of the project, as agreed to by the project applicant. Staff has not yet reviewed in detail the language of these "community conditions" and therefore has not yet drafted conditions which will be enforceable. However, staff is sure that appropriate language can be drafted and notes that these conditions will be submitted to community members for review prior to final action.

Correspondence

Staff has received numerous letters expressing concerns about approval of the project. The major concerns involve traffic impacts, changes to the rural lifestyle of Chatsworth, loss of open space, and the need to maintain trails and wildlife corridors.

One letter in support of the project was received which indicated support for additional housing and opposition to an exclusively equestrian lifestyle.

Attachments

January 8, 2004

TO: REGIONAL PLANNING COMMISSION

FROM: Ellen Fitzgerald
Land Divisions Section

SUBJECT: DEERLAKE RANCH PROJECT NO. 99-239-(5)
CONDITIONAL USE PERMIT NO. 99-239-(5)
OAK TREE PERMIT NO. 99-239-(5)
VESTING TENTATIVE TRACT MAP NO. 53138-(5)

On September 3, 2003 the Regional Planning Commission heard testimony on a revised project design, closed the public hearing, indicated its intent to approve the project and directed staff to prepare the FEIR and findings and conditions of approval. However, the Commission also indicated that additional information was necessary on certain issues and requested responses to outstanding questions and inclusion of information in the findings and conditions of approval. The following information should be of assistance to Commissioners.

The Project

Commissioners will recall that the project was revised multiple times during the public hearing. The project that your Commission indicated its intent to approve consists of 388 dwelling units, 21 open space lots, 14 private and future street lots, 4 debris basin lots, 1 helipad, 1 sheriff facility lot and 4 remainder parcels on 230.58 acres. The following chart depicts the distribution of the various lot sizes provided by the project.

Lot Size Range	No. of Lots
6,000-6,500 square feet	47
6,500-7,000 square feet	18
7,000-10,000 square feet	122
10,000-15,000 square feet	46
Over 15,000 square feet	155

A total of 55 lots will be designed specifically to accommodate horse keeping activities and the

project has been conditioned to require for each of these lots a minimum area of 2,000 square feet for horsekeeping, separated by a minimum of 35 feet from any portion of a habitable structure.

Revised Map

Subsequent to the closing of the public hearing, the applicant submitted a revision to its September 3, 2003 map to the Subdivision Committee for review of minor changes. Two lots have been eliminated from Neighborhood 4 at the request of the Santa Monica Mountains Conservancy to allow a passive recreation area and those lots have been moved to Neighborhood II.

Oak Tree Permit

The County Forester has recommended conditions for the requested removal of 61 oak trees and encroachment within the protected zone of an additional 11 trees. As 8 of the requested removals are not yet large enough to be protected by the provisions of the oak tree ordinance, a condition requiring measurement of these trees just prior to removal has been included. Staff has also incorporated the standard condition for planting acorns along with the mitigation trees, and has required on-site planting, unless it is shown to the satisfaction of the County Forester that on-site mitigation is infeasible.

Voluntary Community Conditions

Throughout the public hearing the project applicant and staff referred to voluntary community conditions. The applicant participated in numerous meetings with representatives of Supervisor Antonovich's office, interested equestrians and area residents to develop a project that also benefits the surrounding community. These benefits are incorporated into "Additional Conditions" of the conditional use permit and vesting tentative tract map and impose requirements on the project beyond those usually imposed.

On January 5, 2004, staff attended a meeting conducted by Supervisor Antonovich's staff to discuss the project's conditions with interested community members to ensure that the conditions reflect the commitments made by the project applicant. During the meeting, community members requested clarification of certain conditions and modifications and additions have been made at their request. These changes are reflected in the conditions.

Trails

Staff feels confident that the trail depicted on the tentative map can be coordinated with the trail shown on the tentative map for the proposed condominium project to the west to provide an interconnected system. Slight changes to the exact location of the proposed trails may be necessary and staff has prepared the following condition which ensures the trails will work together: Construct and dedicate a trail which connects to the proposed trail within the westerly adjoining property at the westerly boundary of the project property or to an alternate point along said westerly boundary, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.

Community members were concerned that the trail width of 8 feet proposed in certain portions, specifically adjacent to Mayan Drive, and authorized by the Department of Parks and Recreation would be inadequate. The applicant has made the appropriate revisions, including a 12-foot trail

along Mayan Drive, as depicted in CUP Exhibit A-3.

De Soto Avenue

During the public hearing, testimony was heard requesting that De Soto Avenue be extended to serve the project. The Commission requested information on the possibility of using the money currently proposed for improvements to Canoga Avenue for improvement instead to De Soto in a joint improvement proposal with the City of Los Angeles. The applicant has provided staff with the following cost estimates for the improvements to Canoga Avenue and the alternative of access from De Soto Avenue.

• Total cost of Canoga Ave. access, including the bridge:	\$2,177,400
• Total cost of De Soto Ave. access, including new bridge, but not including costs of right-of-way acquisition and environmental mitigation of Browns Canyon:	\$6,741,900
ADDITIONAL CONSTRUCTION-ONLY COST OF DE SOTO AVE. ALTERNATIVE:	<u>\$4,563,500</u>

On September 3, 2003 the Commission again discussed this issue, inquiring whether the City of Los Angeles, which previously abandoned a proposal to extend De Soto Avenue, may now be willing to consider this extension because so much surrounding land is now in public ownership and the development potential has been significantly reduced. The Commission also suggested that the County Flood Control District and the Mountains Recreation Conservation Authority (MRCA), both of which own land in the area, might now be more willing to work with the applicant to bridge Browns Canyon to De Soto Avenue.

The Commission recognized that neither the applicant nor the County control a De Soto Avenue connection. It should be noted that access via a De Soto Avenue connection is not consistent with the City of Los Angeles Chatsworth-Porter Ranch Community Plan and also that Paul Edelman of the MRCA testified that the confluence of Devils and Brown's creeks at the entrance to the project site is an ecologically sensitive open space area and important to trails and therefore, the MRCA and the Santa Monica Mountains Conservancy are opposed to any access to the project site from De Soto Avenue.

Access to the North

Though it is County policy to prevent land-locked parcels it is not County policy to require a development applicant to go to extraordinary lengths to ensure access to properties where no legal access presently exists. Environmental considerations and topographic constraints limit the potential location of "tap" streets to adjacent properties, so not every property can be given direct access. The Subdivision Committee had not previously required the project applicant to provide a tap street to the north for a number of reasons. There is no identified legal access through the project site to the north and no property owner has been able to provide proof of existing easements and the majority of the

properties have access via Browns' Canyon Road.

On June 19, 2002, the Commission requested additional information concerning the potential for the development of properties to the north of the project site in response to testimony from property owners concerned that development of the project would prevent access to these properties. In response to the Commission's concerns, the applicant has been required to depict a tap street connection to provide potential access to the northerly properties and that connection is included in the project that the Commission indicated its intent to approve, shown in the northeasterly portion of the project and labeled "X" Street on the tentative map.

Consistent with County policy, the tap street is provided in a logical and feasible location to serve properties located to the north. It has been depicted generally along the alignment of the private easement labeled Saugus Road in the Deerlake Highlands Record of Survey. The tap street would be available to any property owner to the north, if such property owner is able to acquire the necessary easements across other privately and publicly owned property to allow access. As the Santa Monica Mountains Conservancy retains ownership of a 10-foot strip of property at the project boundary, access to a tap street would be subject to the approval of an easement by the Conservancy.

It should be noted that recent substantial public acquisition of property in the area to the north of the project site for open space purposes has eliminated most of the need for future access.

Monitoring

On September 3, 2003 the Commission discussed monitoring of the project's conditions. Staff indicated that the conditional use permit runs with the land and that the project applicant and any future project builders are responsible for complying with the conditions. Staff ensures that conditions are met during review of the final map for recordation and that conditions that are not anticipated to be complied with until after builders are involved are often the subject of CC&R's which are also reviewed by staff.

In order to address the Commission's concerns that conditions are imposed on future builders as well as the present applicant, the following condition is proposed for the conditional use permit: Prior to recordation of each final tract map, any and all successors and assigns of the applicant to all or a portion of the project site shall sign affidavits of acceptance of the conditional use permit conditions.

Community Character Statement

The Commission requested information regarding the implementation of the Community Character Statement, a booklet which serves as the detailed Exhibit A to the Conditional Use Permit

The Community Character Statement depicts the general architectural styles of the neighborhoods and was prepared by the applicant with community input. The design of the project as depicted in the booklet represents the type of project the community expects will be developed.

The Commission wanted to ensure that actual development reflects the Community Character Statement and was concerned since staff indicated that it normally does not get involved with architectural detail, and if the document is incorporated into the conditional use permit, it will

require substantial staff involvement to ensure compliance.

The Community Character Statement is composed of three general design categories:

1. Specific project design criteria
2. Project site layout and landscape characteristics, principles and perspectives
3. General architectural themes and styles

Staff feels that the general architectural themes and styles and site layout and landscape characteristics are enforceable through the existing site plan review process and with the incorporation of conditions within the project's Conditions, Covenants and Restrictions and the establishment of a Construction Oversight Committee to be established by Supervisor Antonovich's staff.

However, a number of items depicted and detailed in the specific project design criteria require action by the Commission in order to be implemented as requested by the community and they are described below:

Elimination of sidewalks within Project Neighborhood I

Section 21.32.190 of the Subdivision Ordinance states that construction of sidewalks is not required if the Commission finds any of the following: (1) all lots in a land division contain a net area of not less than 15,000 square feet, or have an average width of not less than 100 feet, except where sidewalks are part of an established neighborhood pattern, (2) the construction of sidewalks would be impractical because of topographical conditions or because of other physical obstacles, (3) sidewalks would not be in keeping with the neighborhood pattern, or (4) sidewalks are not needed in and will not benefit the area.

As not all of the lots in this project are a minimum of 15,000 square feet, but all lots within project Neighborhood I are in excess of 15,000 square feet, the Commission would have to find that sidewalks are impractical or will not benefit the neighborhood in order to allow the project to be designed as shown in the Community Character Statement booklet for Neighborhood I. It should be noted that all streets within Neighborhood I are designated as Future and Private.

Meandering of sidewalks with Project Neighborhood II

The meandering sidewalk design has only been occasionally permitted for roadways designated as major highways. County policy is generally to allow such sidewalk outside of the road right-of-way. The design has not been permitted on local streets, but it could be considered on private property adjacent to the street, consistent with County policy.

The Commission may determine that the provision of meandering sidewalks within project Neighborhood II would be an appropriate addition to this project and modify the Department of Public Works denial of the request to provide this non-standard sidewalk within Neighborhood II. It should be noted that all streets within Neighborhood II are designated as Future and Private.

Limited use of low-rising, shielded street lights within Neighborhoods 1 and II

The community members who have participated in review of the project design are concerned that standard street lights in the project will have a negative impact on the surrounding community and have requested that lighting be as limited as possible, particularly within the upper portion of the project (Neighborhoods I & II). **Street lights are required in all land divisions unless each lot within the project is a minimum of 40,000 square feet in size or if the Commission finds that street lights are not necessary to serve a development.**

Though the applicant has requested a change in street light design for the Future & Private Streets within Neighborhoods I & II, and not the elimination of the requirement to provide lighting, the Department of Public Works indicates that it is not possible to determine at this time if a "low-rising, shielded street light" is approvable and recommends that if the Commission considers the applicant's request, then the requirement for street lighting be eliminated entirely. However, since total elimination of streets lights within Neighborhoods I & II may not be desirable, the Commission could approve the applicants request for limited use of low-rising, shielded street lights within those Neighborhoods. However, such a limited lighting system would have to be owned and operated by an entity other than a County Street Lighting District.

Elimination of curbs and gutters within Neighborhood I

The applicant and the community have requested that standard curb and gutter be eliminated for Neighborhood I, where all lots are over 15,000 square feet, and be replaced with a rural cross section. The use of the rural cross-section, where the urban curb and gutter is replaced with an inverted shoulder design and sometimes described as a "rolled curb", is permitted by Section 21.32.070 of the Subdivision Ordinance only when all lots within a proposed land division exceed 20,000 square feet in size. Since the project's lots do not meet this requirement, the Commission would have to modify the recommendations of the Department of Public Works for use of the standard urban cross section within Neighborhood I to allow this design.

Pursuant to Section 21.52.010, the Commission may modify the Department of Public Works requirement for use of the urban cross section and instead permit the rural cross section if the modification is in conformity with the spirit of the Subdivision Map Act and the strict letter of the regulation is impossible or impractical to observe.

Changes to conditions in the Mitigation Monitoring Program

The applicant has reviewed the proposed conditions and has requested some minor changes to the Mitigation Monitoring Program conditions in the Draft EIR. The provisions of the Mitigation Monitoring Program are incorporated by reference into the project's conditions of approval and are enforceable in the same way as any other project condition. The following are the requested changes:

Section 4.2 of the DEIR and the original Mitigation Monitoring Program state: "Operations on any unpaved surface shall be suspended if winds exceed 25 miles per hour" as a mitigation measure for air quality impacts related to fugitive dust control. The applicant requests the language be changed to: "Project grading operations shall comply with the SCAQMD's Rule 403, pertaining to control of fugitive dust". The wording of the existing mitigation measure

contains only one aspect of fugitive dust control pertaining only to actual earth movement operations, whereas the compliance with Rule 403 addresses all construction operations.

Section 4.8 of the DEIR and the original Mitigation Monitoring Program state: "All dwelling units shall be fully sprinklered per NFPA pamphlet 13D to offset potential response time impacts". The applicant requests that the language be changed to: Prior to issuance of any building permit, the County Fire Department shall determine which dwelling units must be constructed with full, internal sprinkler systems in accordance with specifications contained in NFPA Pamphlet 13D". Because of extensive off-site and on-site traffic improvements, and the existence of an Automatic Aid Agreement between the County and City of Los Angeles Fire Departments, it is possible that sprinklers for all houses within the project will not be required by the Fire Department.

Staff concurs that the requested revisions are appropriate.

Agency Comments on FEIR

Staff has received a comment letter from the California Department of Transportation (CALTRANS) dated January 5, 2004. CALTRANS is requesting incorporation of a condition requiring payment of a fee of \$455,477.00, paid directly to them as agreed to by the project applicant, for its equitable share responsibility toward long-term traffic improvements within State rights-of-way at the Topanga Canyon Boulevard and SR-118 interchange. Section 4.3-2 (Page 4-39) of the FEIR inadvertently stated a lesser amount for the required payment.

This comment has been promoted by a typographical error in the response to the Caltrans DEIR comment letter (Section 4.2.3 of the FEIR)

This condition has been included in the traffic improvements section of the Additional Conditions of Conditional Use Permit 99-239 and is referenced in the CEQA findings to this agreed upon amount.

Staff will be available to respond to any questions Commissioners may have.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

**CERTIFIED-RECEIPT
REQUESTED**



James E. Hartl, AICP
Director of Planning

January 21, 2004

Jonathan Spound
AEW Capital Management LP
601 South Figueroa Street, Suite 2150
Los Angeles, California 90017-3405

Gentlemen:

**SUBJECT: Vesting TENTATIVE TRACT MAP CASE NO. 53138
CONDITIONAL USE PERMIT CASE NO. 99-239-(5)
OAK TREE PERMIT 99-239-(5)**

A public hearing on Vesting Tentative Tract Map No. 53138, Conditional Use Permit Case No. 99-239(5) and Oak Tree Permit 99-239-(5) was held before the Regional Planning Commission of Los Angeles County on January 23, 2002, April 10, 2002, June 19, 2002, August 21, 2002, September 11, 2002 and September 3, 2003 .

After considering the evidence presented, the Regional Planning Commission, in its action on **January 14, 2004** approved the tentative tract map, conditional use permit and oak tree permit in accordance with the Subdivision Map Act, Titles 21 (Subdivision Ordinance) and 22 (Zoning Ordinance) of the Los Angeles County Code, and the recommendations and conditions of the Subdivision Committee. A copy of the approved findings and conditions is attached.

The action on the tentative tract map, conditional use permit and oak tree permit authorize:

1. The subdivision of the 230.58 acre site into 388 single-family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, 21 open space lots, and 4 "remainder" parcels.
2. The development of the property in compliance with hillside management and density-controlled development design review criteria.
3. The removal of 61 oak trees and encroachment into the protected zone of an additional 11 oak trees.

Your attention is called to the following:

1. Condition No. 2 of the Conditional Use Permit provides that the permits shall not become effective for any purpose until the applicant and the owner of the property involved, or

TENTATIVE TRACT MAP CASE NO. 53138
CONDITIONAL USE PERMIT CASE NO. 99-239-(5)
OAK TREE PERMIT 99-239-(5)

their duly authorized representative, have filed at the office of the Department of Regional Planning the affidavit stating that they are aware of and accept all of the conditions of the permits.

2. During the fifteen-day period following your receipt of this letter, the Regional Planning Commission's action may be appealed to the Board of Supervisors. If you wish to appeal this decision to the Board, you must do so in writing. Your appeal should be filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213) 974-1432 for the current appeal fee.

The tentative tract map approval shall expire two years from the date of action by the Regional Planning Commission. If the subject tentative tract map does not record prior to the expiration date, a request in writing for an extension of the approval must be received prior to the expiration date. Pursuant to Section 22.56.140 (4) and Section 22.56.2250 of the Los Angeles County Code (Zoning Ordinance), the conditional use permit and oak tree permit shall be null and void unless it is utilized prior to the expiration of the tentative tract map. Recordation of the tentative tract map shall constitute use of this permit.

Time extensions granted for the tract map shall also apply to the conditional use permit and oak tree permit.

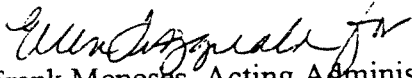
If you have any questions regarding this matter, please contact Ellen Fitzgerald of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7 a.m. and 6 p.m., Monday through Thursday. Our offices are closed Fridays.

Very Truly Yours,

DEPARTMENT OF REGIONAL PLANNING

James E. Hartl, AICP

Director of Planning


Frank Meneses, Acting Administrator
Current Planning Division

FM:EMF:ef

Enclosures: Findings and Conditions, Affidavit of Acceptance, Fish and Game Fee

c: Board of Supervisors
 Subdivision Committee
 Save Chatsworth

FINDINGS OF THE REGIONAL PLANNING COMMISSION VESTING TENTATIVE TRACT MAP NO. 53138

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map 53138 on January 23, 2002, April 10, 2002, June 19, 2002, August 21, 2002, September 11, 2002 and September 3, 2003.
2. Vesting Tentative Tract Map 53138 is a proposal to subdivide the subject property into 388 single-family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, and 21 open space lots, with 4 "remainder parcels," as defined in Government Code Section 66424.6
3. The subject site is located north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Canoga Avenue and the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.
4. The site is 230.58 acres in size, irregular in shape, and has flat to hilly topography. A large portion of the property is generally a plateau that is bordered to the west and south by Devils Canyon and to the east by Browns Canyon. It is generally vacant though five single-family residences and the foundations of several other residences remain on the site.
5. The majority of the subject property was historically known as the Deerlake Highlands tract, a Record of Survey subdivision of approximately 2,575 recorded in the late 1920's. These substandard sized lots have been occasionally conveyed, sold and acquired. They have been merged into 624 lots, each with a minimum of 6,000 square feet and have been granted 624 unconditional certificates of compliance.
6. Access to the site is provided by Topanga Canyon Boulevard to the west and Canoga Avenue to the east. Presently, the upper portions of the project site are accessible only via a substandard bridge across Devil Canyon from Canoga Avenue.
7. The site is zoned A-1-1 (Light Agriculture, 1 acre minimum required area) and R-1-6,000 (Single-family residential-6,000 square feet minimum required area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
8. Surrounding zoning is R-1-6,000 to the south (Twin Lakes), A-2-1 to the north, R-1-6,000 to the east and A-1-1 to the west. A zone change to change the zoning on the property to the west to RPD-5,000-6U has been recommended for approval to the Board of Supervisors by the Regional Planning Commission.
9. Properties to the north of the subject property are vacant. Immediately to the west of the site is a proposed 65 unit residential condominium development which is adjacent to an existing multi-family development, to the south is the Twin Lakes community developed

with single-family residences and to the east, across Brown's Canyon within the boundaries of the City of Los Angeles, is Porter Ranch, a large master planned community with approximately 2,400 dwelling units either built or under construction.

10. The subject property is depicted within the Non-Urban (R) and Rural Communities land use classifications on the Land Use Policy map of the Los Angeles Countywide General Plan. The Rural Communities designation permits residential density of 1-6 dwelling units per acre. The Non-Urban designation permits a maximum density of 1 dwelling unit per acre. The project's proposed density is approximately 1.7 dwelling units per acre.
11. The Non-Urban designated portion of the subject property is located at the southeasterly edge of the site. This area contains relatively less steep hillsides and is appropriate for more urban development. The General Plan permits density transfer from urban to non-urban areas where topography or geologic conditions warrant such transfer. Fifty-four (54) units are proposed to be transferred from the urban area to the non-urban area, from that portion of the site designated Rural Communities to that designated Non-Urban. The transfer of this number of units is acceptable given the overall number of units and the topographic conditions.

After the density transfer, the project will consist of 54 dwelling units on 65.42 acres of the site designated as non-urban and 334 dwelling units on 165.46 acres of the site designated Rural Communities. The density of the proposed project is consistent with the land use classifications of the Los Angeles County General Plan.

12. The proposed project is consistent with the goals and policies of the General Plan. The project concentrates land use growth adjacent to existing urban development and the proposed density transfer allows for preservation of hillsides and flexibility in design. The density of the proposed project is compatible with the surrounding community and surrounding land use patterns.
13. Vesting Tentative Tract Map 53138 was heard concurrently with Conditional Use Permit 99-239 and Oak Tree Permit 99-239.
14. Conditional Use Permit No. 99-239-(5) is a related request to authorize the proposed density controlled residential development in a hillside management area, pursuant to Sections 22.56.205 and 22.56.215 of the Los Angeles County Code. A density-controlled development allows lot sizes to be averaged to conform to the minimum lot area requirements of the proposed zones and allows clustering of units into the least environmentally sensitive areas of the site using smaller lots than are customarily permitted in the zone in which the development is proposed, while retaining the remaining portion in permanent open space. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that maintains

and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for limited controlled development therein.

15. Oak Tree Permit No. 99-239-(5) is a related request to authorize the removal of 61 oak trees and encroachment into the protected zone of an additional 11 trees.
16. Significant correspondence from surrounding neighbors and interested parties was received in opposition to the project. Comments included concerns about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth, the need for access to properties to the north of the project, stormwater impacts on Devils Canyon, the need for a connecting trail system, the need to consider alternative access to the site from De Soto Avenue and the concern that the proposed density would be inconsistent with the density of the surrounding community.
17. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentations and extensive testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the need for reduced density, adequate trails, lots of at least 15,000 square feet, lots specifically designed to allow horse keeping and inclusion of a roadway connection to the north.
18. In response to community concerns, the Regional Planning Commission directed the project applicant to redesign the project keeping in mind the comments raised during the public hearing. The applicant participated in community meetings and formed a community advisory group to redesign the project in response to these comments. The project design approved by the Regional Planning Commission and the "additional conditions" resulted from these community meetings.
19. The applicant revised the project in order to reduce the number of dwelling units and to increase the number of larger, equestrian compatible lots. A total of 155 lots within the project will contain at least 15,000 square feet with 55 lots designed specifically for equestrian use and located adjacent to existing and proposed riding and hiking trails.
20. The redesigned project includes the provision of a "tap" street to the project's northerly boundary in a feasible and logical location ("X Street") to serve property owners who are able to demonstrate legal access rights, to the satisfaction of the Director of Planning, including by easement or by other agreement for ingress and egress. The tap street may be eliminated prior to recordation of the final map if it is proven that no claim of legal access can be demonstrated and it becomes unnecessary.
21. Four remainder parcels are depicted on the tentative tract map. An equestrian rest area is shown on the remainder parcel adjacent to residential lot 307 and will be developed with equestrian amenities. No residential development shall be permitted on the designated remainder parcels.

22. Eight small Not-A-Part parcels are depicted on the tentative tract map. These parcels are not owned or under the control of the project applicant. The project has been designed to allow for flexibility to allow these parcels to be integrated into the project design if they are acquired in the future. Access to each parcel is provided.
23. The applicant proposes grading to be balanced on site. A total of 2,249,000 cubic yards of earthwork is proposed. Total disturbed area will occupy approximately 157 acres, not including fuel modification impacts. The single-family residential pads will occupy a total of 62.2 acres, or 27% of the project site.
24. Construction of the project will include infrastructure enhancements to service the project and the surrounding community. The applicant proposes to provide monetary contribution to the Twin Lakes Property Owners Association for a variety of improvements.
25. The project preserves and enhances sensitive habitat, and includes significant open space trail and recreational components.
26. The tentative tract map depicts two private open space lots (lot 404 and 408) to be improved with recreational amenities. The other open space lots will remain undeveloped, permanent open space.
27. The Regional Planning Commission has approved modified street improvements, including use of the rural street section, elimination of sidewalks and streetlights, clustering of street trees and the use of a meandering sidewalk design in portions of the project after finding that the standard improvements are impractical and unnecessary.
28. Access to the subject property will be adequate for all lots and for the deployment of fire fighting and other emergency service vehicles.
29. The site is physically suitable for the type of development and the density being proposed, because the property has adequate building sites to be developed in accordance with the grading ordinance, has access to County-maintained streets, will be served by sanitary sewers, will be provided with water supplies and distribution facilities with sufficient capacity to meet anticipated domestic and fire protection needs and has all flood hazards and geologic hazards mitigated in accordance with the requirements of the Department of Public Works.
30. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial or avoidable injury to fish and wildlife or their habitat.

31. The design of the subdivision and type of improvements proposed will not cause public health problems since sewage disposal, storm water drainage, fire protection and geologic and soil factors are addressed in the conditions of approval.
32. The division and development of the subject property in the manner set forth on this tentative tract map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within the tentative tract map, since the design and development as set forth in the conditions of the project and on the tentative map, provide adequate protection for any such rights-of-way and easements.
33. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein, since the lots are of sufficient size so as to permit orientation of structures in an east-west alignment for southern exposure or to take advantage of shade or prevailing breezes.
34. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir as those terms are used in Article 3.5 of the Subdivision Map Act (California Government Code Section 66410 *et seq*)
35. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
36. This tract map has been submitted as a "vesting" Tentative Tract Map. As such, it is subject to the provisions of Chapter 21.38 of the Los Angeles County Code.
37. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: aesthetic/visual, air quality, archaeological/historical, drainage, flooding, fire hazard, geologic/seismic, noise, public services/facilities, schools, sewer capacity, soil erosion/grading, solid waste, traffic circulation, vegetation, water quality, water supply, wetlands/riparian, wildlife, and cumulative effects. The Initial Study determined that an Environmental Impact Report (EIR) would be required.
38. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including aesthetic resources, air quality, biota, cultural resources, geology, hydrology and water quality, noise, traffic, public services, including fire protection, police protection and library services, and utilities, including water supply, waste water, solid waste, electricity and natural gas can be mitigated to a less than significant level through implementation of the mitigation measures identified in the EIR

39. A Final Environmental Impact Report for the project has been prepared in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report (FEIR) consists of the Draft EIR dated November 2001, the Technical Appendices to the Draft EIR dated November 2001 and the Final EIR, including responses to comments dated December 2003.
40. A Mitigation Monitoring Plan consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured, and its requirements have been incorporated into the conditions of approval for this project.
41. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map 53138 is **APPROVED** subject to the attached conditions established by the Regional Planning Commission, including recommendations of the Los Angeles County Subdivision Committee.

DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE TRACT MAP NO. 53138

Map Date: 11-13-03

CONDITIONS:

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the R-1-6,000 and A-1-1 zones and the requirements of Conditional Use Permit No. 99-239-(5) and Oak Tree Permit 00-239-(5).
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 99-239-(5), conform to the applicable lot area requirements of the R-1-6,000 and A-1-1 zones.
3. In accordance with Conditional Use Permit No. 99-239-(5), this land division is approved as a density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the R-1-6,000 and A-1-1 zones. If multiple final maps are recorded, the average area of all lots shown on each final map and all previously recorded final maps shall comply with the minimum lot area requirements of the applicable R-1-6,000 and A-1-1 zones.
4. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.
5. Submit a copy of the project Covenants, Conditions and Restrictions (CC&R's) and road or maintenance agreements to the Department of Regional Planning for review and approval.
6. Submit evidence that the conditions of the associated Conditional Use Permit Case No. 99-239 and Oak Tree Permit 99-239 have been recorded.
7. Concurrent with the recordation of the first final map, record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
8. Dedicate vehicular access rights to streets at rear of double frontage lots.
9. Dedicate vehicular access rights on Mayan Drive, Aucas Drive, Chickasaw Trail, Aztec Drive, Kickapoo Trail, West Mayan Drive and Mojave Trail as required by and to the satisfaction of the Department of Regional Planning and Department of Public Works.
10. Construct a free standing masonry wall, not less than five feet high, along and within one foot (1') of the rear or sides of proposed lots abutting the streets listed in condition 7. The wall shall be constructed to the Department of Public Works Standard Plan 6005-0.

Prior to submitting any final maps, provide the Regional Planning Department with a copy of the approved Grading Plan for final determination of the design of these masonry structures. Alternate structure designs and locations may be accepted if unusual topographic features or subdivision designs warrant special treatment. In such cases consideration will be given to maintenance and aesthetics. Where a wall is relocated to the top of a slope, a slough wall may also be required.

In all cases where grading or natural conditions result in the pad or building site elevations being above the elevation of the abutting street, the required wall shall be retaining.

A wrought iron fence may be constructed on top of the retaining wall to satisfy the minimum height requirement provided the wall is constructed to a minimum height of three feet and masonry pilasters spaced 50 feet maximum on center are constructed to the full height of the structure. The height of the total structure shall not be less than five feet above grade on the highway side and not less than three feet six inches on the side facing the abutting lot.

If the wall, or combination wrought iron fence and retaining wall, is to be constructed subsequent to the recordation of the final tract map, file a faithful performance bond and agreement with the Department of Public Works, insuring its construction prior to sale of lots or occupancy of homes constructed thereon. The penal sum of the bond shall be determined by the Department of Public Works.

11. Provide at least 40 feet of street frontage at the property line for each lot fronting on a cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. Provide approximately radial lot lines for each lot.
12. Flag lots shall have fee access strips of at least 10 feet in width where contiguous to other strips and 15 feet where not contiguous to other strips. In cases where there are hillside slopes or footings for walls or planters adjacent to the access strips, the width of the access strips shall be sufficient to accommodate the full width of the required driveway paving.
13. Provide reciprocal easements over the multiple access strips for the benefit of the lots served and post with "No Parking" signs. Submit to the Department of Regional Planning for approval a notarized letter agreeing to record the easement documents when the lots are sold and a copy of the easement document.
14. Label all common driveways as "Private Driveway-Fire Lane" on the final map.
15. Construct or bond with the Department of Public Works for driveway paving on the flag lots from the street to the building pads, to the satisfaction of the Department of Regional Planning and Department of Public Works as follows:

-A minimum of 15 feet in width where serving one residence or 20 feet in width where the driveway is 20 feet in length;

- A minimum of 20 feet in width where serving two residences; and;
 - A minimum of 24 feet in width where serving three residences
16. Post all common driveways with signs stating "No Parking-Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's covenants, conditions and restrictions (CC&R's) or in a maintenance agreement. Submit a copy of the CC&R's or maintenance agreement to the Department of Regional Planning for approval.
 17. Provide for the ownership and maintenance of the common driveways through a maintenance agreement by the owners of the lots served or the Homeowners Association. Submit a copy of the agreement to be recorded to the Department of Regional Planning for approval.
 18. Provide legal and physical access to those areas labeled Not A Part to the satisfaction of the Department of Regional Planning and Department of Public Works.
 19. Comply with the traffic mitigation measures, including those detailed in the City of Los Angeles Department of Transportation's June 26, 2002 letter, identified in the letter from the Department of Public Works, Traffic and Lighting Division to Linscott, Law & Greenspan dated July 28, 2003 which is attached to the Department of Public Works conditions of approval.
 20. Show A Street, D Street through K Street, B Street south of L Street, and C Street south of N Street as dedicated streets on the final map
 21. Show B Street north of K Street, C Street north of K Street and L Street through X Street as private and future streets on the final map.
 22. In the event that legal rights for ingress-egress to allow use of X Street have not been demonstrated to the satisfaction of the Director of Planning prior to recordation of the final map in which X Street is located, the street may be deleted from the final map and its area included within the adjoining residential lot.
 23. Provide for the ownership and continued maintenance of the private and future streets through the homeowner's association, road maintenance district or by a road maintenance agreement and provide the Department of Regional Planning with a copy of the CC&R's or maintenance agreement to be recorded.
 24. Except where the Fire Department determines that gates are not allowed for safety reasons, or as otherwise specified in these conditions, gated entries are permitted at the

TENTATIVE TRACT MAP NO. 53138

locations depicted on the tentative tract map subject to the stacking, turnaround, width and design requirements of the Fire Department and Department of Public Works.

25. Record an agreement, to the satisfaction of the Director of Planning, for inclusion within the project's Covenants, Conditions and Restrictions, which guarantees that identified properties located northerly of the project site, will have the rights of ingress and egress across, and within, those portions of private and future streets identified as "A", "B" and "C" Streets on Tract Map No. 53138 which are northerly of the depicted gated entries, unless the requirement for provision of X Street, as provided in Condition 22, is eliminated.
26. Grant to all persons holding title to land within the County of Los Angeles and the Heirs, Successors, and Assigns of said persons, as their interest may now or hereafter appear of records, a non-exclusive easement for ingress and egress, road and utility purposes over the private and future streets in this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.
27. Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for R Street, S Street, T Street, U Street, V Street, and W Street.
28. Convey an easement for operation and maintenance of a helispot on lot 390 to the Consolidated Fire Protection District of the County of Los Angeles. Submit evidence of compliance with this condition to the Director of Planning prior to recordation of the final map.
29. Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated remainder parcels. Construction of recreational amenities is permitted.
30. Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the open space lots (Lots 389, 391, 393, 397-414). Recreational structures may be constructed on portions of lots 402, 404 and 408, subject to approval of plot plans by the Director of Planning.
31. Provide for the ownership and maintenance of the open space lots (lots 389, 391, 393, 397-414) and the designated remainder parcels (R-1-R-4) by the homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.
32. Number all open space lots on the final map and provide access, a minimum of 15 feet in width, to each open space lot to the satisfaction of the Department of Regional Planning.

33. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.
34. Bond with the Department of Public Works for any recreational structures proposed for lots 404 and 408 and the equestrian rest area adjacent to lot 307.
35. Construct and dedicate the trails to the County of Los Angeles to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.
36. Construct and dedicate a trail to the County of Los Angeles which connects to the proposed trail within the westerly adjoining property at the westerly boundary of the project property or to an alternate point along said westerly boundary, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of Planning.
37. Install guard railing on top of, and along the approaches to, the existing dam within Devil Canyon to the satisfaction of the Department of Parks & Recreation. Submit evidence of satisfaction of this condition to the Director of Planning prior to recordation of the final map.
38. Provide slope planting and an irrigation system in accordance with the Grading Ordinance. Include conditions in the tract's CC&R's which would require continued maintenance of the plantings for lots having planted slopes. Prior to final map approval, submit a copy of the document to be recorded to the Department of Regional Planning.
39. Three copies of a landscape plan which may be incorporated into a revised site plan, shall be submitted and approved by the Planning Director as required by Conditional Use Permit 99-239-(5).
40. Per Section 21.32.195 plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential lot. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director of Planning and the County Forester and Fire Warden, and a bond shall be posted with the Department of Public Works or other verification shall be submitted to the satisfaction of the Department of Regional Planning to ensure the planting of the required trees.
41. This subdivision is a major land division and must be filed as a final tract map. No waiver is allowed.
42. Permission is granted to record multiple final maps. The boundaries of the unit final maps shall be to the satisfaction of the Department of Public Works and the Department

of Regional Planning. Each final map to record shall comply on its own, or in combination with previously recorded maps, with the open space and lot area requirements of the General Plan, the Zoning Ordinance and Conditional Use Permit No. 99-239-(5). Prior to approval of each final map, submit the following:

-A phasing map indicating the boundaries of the current final map, the boundaries and status of all previously filed final maps and the expected boundaries and phasing of all future final maps; and

-A summary sheet indicating the number and type of all lots shown on the current and previous final maps.

43. A maximum of 150 units may record until a second means of street access is physically constructed to the satisfaction of the Department of Public Works, Department of Regional Planning and Fire Department.
44. Within 30 days of the tentative map approval map, as provided in the Mitigation Monitoring Program, deposit the sum of \$3,000.00 with the Department of Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports require by the Mitigation Monitoring Program.
45. Within five (5) days of the tentative map approval date, remit processing fees (currently \$875.00) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and Section 711 of the California Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.
46. The subdivider shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this tentative approval which action is brought within the applicable time period of Government Code Section 66499.37 or any applicable limitation period. The County shall promptly notify the applicant of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
47. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00, from which actual costs shall be billed and

deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation;

At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein; and

The cost for collection and duplication of records and other related documents will be paid by permittee according to Los Angeles County Code Section 2.170.010.

Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks and Recreation and Department of Health Services.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT NO. 53138 (Rev.)

Page 1/3

TENTATIVE MAP DATED 11-13-2003

The following reports consisting of 22 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.
6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Provide alternate legal and physical access to those areas labeled "not a part" of this subdivision to the satisfaction of Public Works.
8. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
9. Delineate proof of offsite access to Canoga Avenue on the final map.
10. Furnish this Department's Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
11. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
12. Dedicate vehicular access rights to streets at rear of double frontage lots.
13. Extend lot lines to the center of private and future streets or provide separate lots for the private and future streets.
14. Grant ingress/egress and utility easements to the public over the private and future or future streets.
15. If the subdivider intends to file multiple final maps, he must so inform the Advisory Agency at the time the tentative map is filed. The boundaries of the unit final maps shall be designed to the satisfaction of the Director of Public Works and the Department of Regional Planning.
16. The first unit of this subdivision shall be filed as Tract No. 53138-01, the second unit, Tract No. 53138-02, and the last unit, Tract No. 53138.
17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT NO. 53138 (Rev.)

TENTATIVE MAP DATED 11-13-2003

19. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
20. Show open space note on the final map and dedicate residential construction rights over the open space lots.
21. The gate entrance on "B" Street in the vicinity north of "K" Street must be approved by the Department of Regional Planning (DRP.) If required by DRP, relocate the gate on "B" Street in the vicinity north of "K" Street to the vicinity west of "X" Street (a future tap street.) A dedicated "B" Street leading to "X" Street (a future tap street) is required to the satisfaction of DRP.
22. Provide addressing information in Microsoft Excel format to the satisfaction of Public Works.

Prepared by ^{+HW} Henry Wong
MSW/TR53138L-REV

Phone (626) 458-4915

Date 12-15-2003





COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

REVISED TENTATIVE MAP DATED 11/13/03

TRACT MAP NO. 53138

DRAINAGE CONDITIONS


- [X] Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
 - [X] Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This right will be allowed on all open space lots. This is required to the satisfaction of the Department of Public Works prior to filing of the final map.
 - [X] A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to filing of the final map.
 - [X] Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
 - [X] Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
 - [X] Contact the Corps of Engineers to determine if a 404 Permit is required for any proposed work within the natural watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
 - [X] This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drainage facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.
 - [X] Department of Public Works approval for location, span, and clearance for proposed bridges spanning a watercourse is required prior to Hydrology Study approval.
 - [X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 Subdivision Ordinance.
 - [X] Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 11/26/03 to the satisfaction of Public Works.
- =====

REVISED TENTATIVE MAP DATED 11/13/03

TRACT MAP NO. 53138

GRADING CONDITIONS:

- [X] A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.
- [X] A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of Subdivision Ordinance.

Name  Date 11/26/03 Phone (626) 458-4921
TIMOTHY CHEN

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
 900 So. Fremont Ave., Alhambra, CA 91803
 TEL. (626) 458-4925

DISTRIBUTION

1 Geologist
 1 Soils Engineer
 1 GMED File
 1 Subdivision

TENTATIVE TRACT MAP 53138
 SUBDIVIDER Presidio Chatsworth Partners LLC
 ENGINEER B&E Engineers
 GEOLOGIST Kleinfelder (58-919401-008)
 SOILS ENGINEER Kleinfelder (58-919401-008)

TENTATIVE MAP DATED 11/13/03 (revision)
 LOCATION Chatsworth
 REPORT DATE 4/15/03, 11/06/01, 10/22/01, 10/09/01, 8/08/01, 4/24/01
 REPORT DATE 4/15/03, 11/06/01, 10/22/01, 10/09/01, 8/08/01, 4/24/01

☒ TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- ☒ The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology & soils) factors have been properly evaluated.
- ☒ A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.
- ☒ All geologic hazards associated with this proposed development must be eliminated, or delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or structures within the restricted use areas.
- ☐ A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements, access and building areas for Lot(s) No(s). _____ refer to the Soils Report by _____, dated _____"
- ☒ The Soils Engineering review dated 12/1/03 is attached.

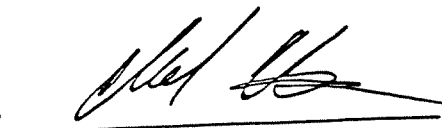
☒ TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO DIVISION OF LAND:

- ☐ This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title Subdivision Code.
- ☒ The subdivider is advised that approval of this division of land is contingent upon the installation and use of a _____ system.
- ☒ A geology and/or soils engineering report may be required prior to approval of building or grading plans.
- ☒ Geotechnical Recordation Map verification deposit estimate 6 hours.
- ☐ Groundwater is less than 10 feet from the ground surface on lots _____

Prepared by


 Karin Vazquez

Reviewed by


Date December

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave.
Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job No. LX001129

Tentative Tract 53138
Location Chatsworth
Developer/Owner Presidio Chatsworth Partners L.L.C.
Engineer/Architect B & E Engineers
Soils Engineer Kleinfelder (13601-003)
Geologist Same as above

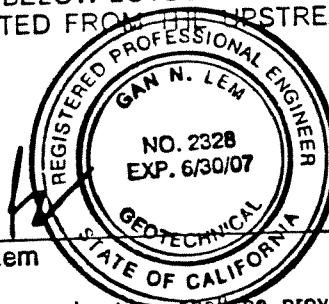
Review of:
Tentative Tract Map Dated By Regional Planning 11/13/03 (Rev.)
Previous review sheet dated 10/22/03

ACTION:
Tentative Map feasibility is recommended for approval, subject to the following conditions.

- REMARKS:**
1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.
 2. At the grading plan review stage, provide the following:
 - a. Additional static, seismic and surficial slope stability analyses for all slopes steeper than 2:1 gradient, based on the 40 scale map. Also, provide a geotechnical cross section, for each section analyzed, showing the critical failure plane used in the analyses. Indicate the various shear strength parameters used in the analyses in the appropriate segments of each failure plane. Show locations of the cross sections used in slope stability analyses on the geotechnical map. Recommend mitigation if factors of safety are below County minimum standards.
 - b. Data and analyses to determine liquefaction potential of the on-site soils at the 2 proposed bridge locations. Also, evaluate the potential for seismically induced settlement (dry and saturated soils), lateral spreading, surface manifestation, etc. The analyses must be performed for soils within the upper 50 feet, as a minimum for shallow foundation, or greater depth where deep foundation and/or subterranean structure is proposed. The historic-high water table shall be used in the analyses, unless other information is provided which indicates higher or lower level is appropriate. Recommend mitigation as necessary. The liquefaction data and analyses must conform to the State of California Division of Mines and Geology "Special Publication 117", dated 1999 and "Recommended Procedure For Implementation of DMG Special Publication 117", dated March 1999.
 - c. Chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity). Resistivity tests must be performed on soil samples in a saturated condition.
 3. Prior to approval of the Final Map for recordation, the following must be shown on the Final Map:
The location of "Restricted Use Areas", (including the shear key areas reinforced with geogrid) as recommended in soils reports.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:
PER THE SOILS ENGINEER, THE PROPOSED BASIN BELOW LOTS 244 AND 283 SHALL BE DESIGNED FOR A TOTAL DEBRIS VOLUME OF 3881 CUBIC YARDS GENERATED FROM THE UPSTREAM DRAINAGE AND THE POTENTIAL LANDSLIDE AREAS.

Prepared by _____
Gan Lem



Date 12/1/

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current code: excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Ordinance.
Gan:53138f-tract

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Compound curves are preferred over broken-back curves. Broken back curves must be separated by a minimum of 200 feet of tangent. If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate in accordance with AASHTO guidelines.
2. A minimum centerline curve length of 100 feet shall be maintained on all local streets and a minimum centerline curve radius of 100 feet on all cul-de-sac streets. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection. Reversing curves of local streets need not exceed a radius of 1,500 feet and any curve need not exceed a radius of 3,000 feet.
3. The minimum centerline radius is 350 feet on all local streets with 40 feet between curbs and on all streets where grades exceed 10 percent except on "A" Street at "B" Street. Permission granted to reduce the centerline curve radius on "A" Street westerly of "B" Street to 225 feet provided that a minimum of 340 feet of stopping sight distance is provided. Additional right of way dedication or airspace easement and/or grading may be required.
4. The minimum centerline radius is 250 feet on all local streets with 36 feet between curbs except on "N" Street east of the knuckle. Permission is granted to reduce the centerline curve radius on "N" Street east of the knuckle to 150 feet.
5. Permission granted for street grades up to 11% and 12% on "A" Street and "C" Street, respectively, only at locations to the satisfaction of Public Works.
6. At tee intersections involving local streets, the maximum permissible grade of the through street across the intersection is 10 percent. For 4-legged intersections, the maximum permissible grade of the through street is eight percent.
7. The minimum centerline radius on a local street with an intersection street on the concave side should comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances per the current AASHTO.
8. The central angles of the right of way radius returns shall not differ by more than ten degrees on local streets.

9. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.
 10. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed six percent.
 11. Provide intersection sight distance commensurate with a design speed of:
 - a. 40 mph (415 feet) on "A" Street from "C" Street, from "D" Street, from "H" Street (easterly direction); and from the southerly side of the proposed pedestrian crossing in the vicinity of "G" Street (both directions), on "B" Street from "A" Street (northerly direction), from "I" Street (northerly direction), from "L" Street; on "C" Street from "K" Street (southerly direction), from "Q" Street, from "R" Street, and from "S" Street (northerly direction)
 - b. 30 mph on "B" Street from "A" Street (southerly direction), from West Mayan Drive, and from Kickapoo Trail; on "M" Street from "L" Street (westerly direction); on "N" Street from "O" Street (easterly direction); on "S" Street from "R" Street (southerly direction), from "V" Street, from "W" Street (southerly direction)
- Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required.
12. All line of sight easements shall be depicted on landscape and grading plans.
 13. Dedicate vehicular access rights on Mayan Drive, Aucas Drive, Chickasaw Trail, Aztec Drive, Kickapoo Trail, W. Mayan Drive, and Mojave Trail, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.
 14. Provide standard property line return radii of 13 feet at all local street intersections to the satisfaction of Public Works.
 15. Permission is granted to modify the right of way on the following streets to reduce the parkway from 12 feet to 3 feet on one side of the street to the satisfaction of Public Works: the south side of "A" Street from Mayan Drive to the vicinity west of "G" Street, the west side of "B" Street south of "A" Street, the north side of "I" Street, the north side of "J" Street, the north side of "K" Street, the north side of "M" Street west of "L" Street, the north and east sides of "N" Street east of Lot 231, and the north side of "R" Street from "S" Street to "T" Street.

28. Locate all entry gates (or key pad) a minimum of 50 feet beyond the right of way of the nearest intersecting street and construct the gated entrance with a minimum of 32 feet radius for turnaround to the satisfaction of Public Works.
29. Off-site improvements are required. It shall be the sole responsibility of the developer to acquire the necessary right of way and/or easements.
30. Provide off-site right of way or easement and construct off-site full street improvements (including sidewalks and street lights) on "B" Street joining Canoga Avenue in the vicinity south of the freeway to the satisfaction of Public Works and the City of Los Angeles.
31. Construct the bridge on "A" Street and on "B" Street to the satisfaction of Public Works. The proposed bridge typical section shown on the map is not necessarily approved. The ultimate bridge section shall meet the requirements of Public Works' Design Division. Sidewalk may be waived on one side of both bridges to the satisfaction of Public Works.
32. Construct curb, gutter, base, pavement and sidewalk on all streets (except future streets). Permission is granted to use the alternate street section on all local streets.
33. Plant street trees on all streets (except future streets).
34. Provide and install street name signs prior to occupancy of buildings.
35. Install postal delivery receptacles in groups to serve two or more residential units.
36. Prior to final map approval, the subdivider shall enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works.
37. Underground all utility lines to the satisfaction of Public Works. Please contact our Construction Division at (626) 458-3129 for new location of any above ground utility structure in parkway.
38. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring on all streets (except future streets) to the satisfaction of Public Works. The operation and maintenance of the street lights on the private and future street shall be the responsibility of the Home Owners Association until such time as the street is accepted for maintenance by the County.

TENTATIVE MAP DATED 11-13-2003

16. Dedicate right of way 32 feet from centerline on "A" Street, "B" Street from "A" Street northerly to the vicinity of the gated entrance, and "C" Street from "A" Street to the vicinity of lot 187 to the satisfaction of Public Works.
17. Dedicate right of way 30 feet from centerline "B" Street south of "A" Street, on "D" Street, "E" Street including both cul-de-sacs, and "K" Street.
18. Dedicate right of way 29 feet from centerline on "F" Street, "G" Street, "H" Street, "I" Street, and "J" Street.
19. Make an offer of 64 feet of future right of way on "X" Street (a future tap street) from "B" Street to the northerly tract boundary in the vicinity of lot 283 to the satisfaction of Public Works.
20. Make an offer of private and future right of way 32 feet from centerline on "B" Street inside and in the vicinity of the gated entrance and "C" Street north of the vicinity of lot 187 to the satisfaction of Public Works.
21. Make an offer of private and future right of way 30 feet from centerline on "L" Street, "M" Street, "N" Street, "R" Street, "S" Street including the cul-de-sac, and "T" Street.
22. Make an offer of private and future right of way 29 feet from centerline on "O" Street, "P" Street, "Q" Street, "U" Street, "V" Street, and "W" Street.
23. Make an offer of future right of way 20 feet from the southerly property line on streets fronting the property line including on Mayan Drive, Aucas Drive, Chickasaw Trail, and Aztec Drive, on alignments to the satisfaction of Public Works. Replace the existing angle points along the property line with a minimum centerline radius of 100 feet.
24. Make an offer of future right of way 20 feet from centerline on West Mayan Drive, Kickapoo Trail, and Mojave Trail on alignments to the satisfaction of Public Works. A minimum centerline radius of 100 foot shall be provided on all these streets.
25. Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.
26. Dedicate slope easements along all future streets to the satisfaction of Public Works.
27. Provide additional right of way in the vicinity of the gated entrances and construct gated entrances to the satisfaction of Public Works.

TENTATIVE MAP DATED 11-13-2003

- b. Obtain Street Lighting Section's approval of the street light layout prior to project recordation.
- c. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk. Assessments will be imposed on the development or portions of the development served by private and future streets (if any) as a result of benefits from existing or future street lights on adjacent public roadways.
 - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
 - (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.
- d. Note that the annexation and assessment balloting process takes approximately five to six months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
- e. For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans.

TENTATIVE MAP DATED 11-13-2003

- f. The Lighting District can assume responsibility for the operation and maintenance of the street lights in the project, or the current phase of the project, as of July 1st of any given year provided the above conditions are met and the street lights have been energized and the developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.
39. Prepare signing and striping plans for Topanga Canyon Road and "A" Street to the satisfaction of Public Works and Caltrans.
40. Pay for the installation of traffic signals and prepare traffic signal plans for Topanga Canyon Road at Ronald Regan Freeway and Poema Place at "A" Street to the satisfaction of Public Works and Caltrans.
41. Comply with the traffic mitigation measures as identified in the attached letter from our Traffic and Lighting Division dated July 28, 2003 to the satisfaction of Public Works.
42. A deposit is required to review documents and plans for final map clearance.
43. Additional comments/requirements:
- a. The locations of the BC/EC of the curve through intersection of "C" Street and "S" Street shall be adjusted so that they are setback 100 feet away from the BCR on "C" Street from "S" Street to the satisfaction of Public Works.
- b. If required by the Department of Regional Planning, relocate the gate on "B" Street in the vicinity north of "K" Street to the vicinity west of "X" Street (a future tap street.) A dedicated "B" Street leading to "X" Street (a future tap street) is required to the satisfaction of the Department of Regional Planning.
- c. Permission to eliminate sidewalks and cluster street trees within private and future right of way on "R" Street, "S" Street, "T" Street, "U" Street, "V" Street, and "W" Street per note 11 is denied.
- d. Permission to meander sidewalks and cluster street trees within private and future right of way on portions of "B" Street and "C" Street, "L" Street, "M" Street, "N" Street, "O" Street, "P" Street, and "Q" Street per note 12 is denied.

January 8, 2004

TO: Rod Kubomoto
Watershed Management Division

FROM: Bill Winter
Traffic and Lighting Division

**DEERLAKE RANCH
FINAL ENVIRONMENTAL IMPACT REPORT
TENTATIVE TRACT NO. 53138
CHATSWORTH AREA**

As requested, we have reviewed the above-mentioned document. The proposed project is located north of the terminus of Topanga Canyon Boulevard in the unincorporated Los Angeles County area of Chatsworth.

The proposed project would consist of the construction of a 388-unit single family residential subdivision on approximately 62 acres of a 230 acres site. The project is estimated to generate approximately 3,608 vehicle trips per day with 332 and 364 vehicle trips during the a.m. and p.m. peak hours, respectively.

We have noted the following errors and discrepancies in the report. The report shall be revised to correct these errors and discrepancies.

- Pages I-24 through I-26, Table 1.2, Summary of Mitigation Measures and Conditions, under Traffic. The Table shall be modified to include the mitigation measures recommended in the Appendix K, Updated Traffic Study and in the enclosed June 6, 2003, letter from the City of Los Angeles and July 28, 2003, letter from this Division:
 1. Northbound lanes at the intersection of Topanga Canyon Boulevard at Poema Place/Mayan Drive.
 2. Eastbound approach improvements for the intersection of De Soto Avenue and Chathworth Street.
 3. Southbound approach improvements for the intersection of Canoga Avenue and Chathworth Street.
 4. The mitigation measures listed in the third box on page I-25 shall be revised to indicate that the improvements will be guaranteed to the satisfaction of the City of Los Angeles prior to the issuance of any building permit.
 5. The mitigation measure in the second box on page I-25 shall be revised to indicate that the applicant shall pay his/her proportionate share of the cost of the



Rod Kubomoto
November 4, 2003
Page 2

ATSAC/ATCS System as determined by the City of Los Angeles Department of Transportation.

6. The mitigation measure in the first box on page I-26 shall be revised to indicate that prior to the issuance of any building permit the applicant shall obtain the permits from the City of Los Angeles and improve the safety-related improvements listed in the box per the City's satisfaction.
7. The applicant shall pay to the City of Los Angeles the City's Neighborhood Traffic Management Plan in the amount of \$200,000 prior to the issuance of any building permit.
8. The mitigation measure in the first box on page I-27 shall be revised to the following:

"Caltrans has requested additional mitigation measures to mitigate impacts of the project within the State right-of-way to address long-term regional traffic operations at the Topanga Canyon Boulevard/SR-118 interchange. The applicant will make the necessary payment of fair-share fees to the satisfaction of Caltrans."
- The entire document shall be reviewed and all necessary changes and corrections shall be made consistent with the above mentioned and mitigation measures contained in the enclosed City and the County letters.

If you have any questions regarding this document, please contact James Chon of our Traffic Studies Section at Extension 4721.

PA:
EIR04006

cc: Dean Efstathiou





COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-3100
www.lapw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

July 28, 2003

Mr. Alfred C. Ying, P.E.
Linscott, Law & Greenspan, Engineers
234 East Colorado Boulevard, Number 400
Pasadena, CA 91101

Dear Mr. Ying:

DEERLAKE RANCH
UPDATED TRAFFIC IMPACT STUDY (APRIL 9, 2003)
TENTATIVE TRACT NO. 53138
CHATSWORTH AREA

As requested, we have reviewed the above-mentioned document. As indicated, the document has been prepared to address the traffic impacts of the downsized project from 484 single family dwelling units to 388 single-family dwelling units and updated traffic counts and trip generation assumptions.

The revised project is expected to generate approximately 3,608 vehicle trips per day and 332 and 364 vehicle trips during the a.m. and p.m. peak hours, respectively.

We agree with this document that the traffic generated by the project alone will significantly impact the following intersections. The proposed mitigation measures identified in the document will reduce the impacts to a level less than significant. These mitigation measures shall be made conditions of approval for this project and included in the Final Environmental Impact Report.

County of Los Angeles

Topanga Canyon Boulevard at Mayan Drive/Poema Place

East Approach: One left-turn lane and one shared through/right-turn lane (add one left-turn lane).

(left turn)

South Approach: One left-turn lane and one exclusive right-turn lane (convert shared left-/right-turn lane to a left-turn lane and one exclusive right-turn lane).

West Approach: One shared through/right-turn lane and one exclusive right-turn lane (add one exclusive right-turn lane).

Install traffic signals. Traffic signals shall be interconnected with the traffic signals at the intersection of Topanga Canyon Boulevard and the Ronald Reagan (SR-118) Freeway per the satisfaction of Caltrans and the County of Los Angeles Department of Public Works.

Topanga Canyon Boulevard at SR 118 Westbound Ramps

North Approach: Two through lanes and one right-turn lane (add exclusive right-turn lane). The mitigation measure is not included in the intersection mitigation measure description on page 41 and the level of service calculation sheet but shown in the concept plan of the intersection improvements in Appendix C.

East Approach: Two left-turn lanes and one shared through/right-turn lane (add second left-turn lane and convert shared left-/through/right-turn lane to shared through/right-turn lane).

Modify traffic signals. Traffic signals shall be interconnected with the traffic signals at the intersection of Topanga Canyon Boulevard at Mayan Drive/Poema Place per the satisfaction of Caltrans and Public Works.

City of Los Angeles

We have received a letter from the City of Los Angeles Department of Transportation dated June 6, 2002 (copy enclosed). The letter contains City's recommendations of mitigation measures required to fully mitigate the project impacts to the intersections and roadways in the City. We reviewed the letter and the traffic study for the project and concur with their recommendations.

Freeways

We concur with the study and recommend that the project pay its fair share toward long-term traffic improvements to the Topanga Canyon Boulevard at SR 118 interchange. The long-term traffic improvements are needed at this interchange since the interchange is operating at its capacity and would need to be upgraded to accommodate additional traffic expected from the cumulative traffic of the proposed project and other related projects in the area. The project shall, prior to recordation of the first final map for this project, work with Caltrans to provide all necessary data and information pertaining to long-term improvements at

Mr. Alfred C. Ying
July 28, 2003
Page 3

the Topanga Canyon Boulevard at SR 118 interchange, in accordance with Caltrans Guide for the Preparation of a Project Study Report (PSR). The project shall determine and pay the project's equitable share towards the long-term traffic improvements to the satisfaction of Caltrans. During this period the permittee shall proceed with diligence in these efforts and inform Traffic and Lighting Division of Department of Public Works of its progress with Caltrans in meeting these requirements.

A Congestion Management Program (CMP) analysis has been conducted in the traffic study to evaluate the project impact on the regional transportation system. We agree with the analysis that no significant CMP related traffic impacts will be caused by the project on the CMP monitored route or freeways. The project will have significant CMP traffic impacts to the Topanga Canyon Boulevard at SR-118 westbound and eastbound ramps; however, the proposed mitigation measures for the intersections will fully mitigate the project's impacts to a level less than significant.

If you have any questions, please contact Mr. James Chon of our Traffic Studies Section of Traffic and Lighting Division at (626) 300-4721.

Very truly yours,

JAMES A NOYES
Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

SFL:cn

P:\TL\Pub\WPFILES\FILES\STU\UHC\Deerlake\Deerlakefinal.wpd

Enc.

cc: Caltrans (Steve Buswell)
City of Los Angeles Department of California (Sergio Valdez)
Regional Planning (Ellen Fitzgerald)



LADOT VALLEY PROGRAMS TEL: 818-756-9793

Jun 11 '02

9:35 No.003 P.01/04

Post-It* Fax Note	7671	Date	7/20	# of pages	4
To	HENRY WONG	From	LARI ALFARO		
Co./Dept.	LD	Co.	TNL		
Phone #	X4961	Phone #	X4740		
Fax #	626.490.4929	Fax #			

LOS ANGELES

CALIFORNIA



IRMA K. MAHON
MAYOR

DEPARTMENT OF
TRANSPORTATION
321 N. FIGUEROA ST., SUITE 800
LOS ANGELES, CA 90012
(213) 890-1177
FAX (213) 890-1188

North of 118 Fwy bet. Canoga & Topanga
Cyn DOT Case No. SFV 01-037

June 6, 2002

Mr. Kerwin Chih
Los Angeles County Department of Regional Planning
Impact Analysis Section

Subject: REVISED LETTER OF DETERMINATION FOR DEERLAKE
RANCH/CHILATSWORTH RIDGE ESTATES

Project No. 99-239(5)
State Clearinghouse No. 200061049
Tentative Tract Map 53138

Dear Mr. Chih:

This revised letter supersedes the previously issued DOT letter dated January 11, 2002. The Los Angeles City Department of Transportation (LADOT) has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Deerlake Ranch/Chatsworth Ridge Estates which consists of a 484 single family homes on a vacant 230.58 acre parcel of land. This project is located within an unincorporated area of Los Angeles County and is bounded by the 118 Freeway to south, Canoga Avenue to the east and Topanga Canyon Boulevard to the west. However, the street system that provides access to the site is primarily located within the City of Los Angeles, and 11 of the 13 studied intersections are within the City of Los Angeles.

DISCUSSION AND FINDINGS

LADOT's comments are based upon review of the Draft Environmental Report and reports prepared by Linseott, Law and Greenspan Engineers. The project's size has been reduced from the original 538 single family homes to a project size of 484 single family homes, as reflected in the DEIR. The project will generate 363 trips in the a.m. peak hour, 489 p.m. peak hour and 4,422 daily trip ends. The trip generation rates are based on the 6th Edition Trip Generation Manual (1997) of the Institute of Transportation Engineers.

As stated below, the proposed will have significant and cumulative traffic impacts at the following intersections:

1. Topanga Cyn Boulevard and 118 Freeway eastbound ramps
2. Topanga Cyn Boulevard and 118 Freeway westbound ramps
3. Chatsworth Street and Canoga Avenue
4. Chatsworth Street and De Soto Avenue

Mr. Keith Chih

2

June 6, 2002

MITIGATION OF SIGNIFICANT AND CUMULATIVE IMPACTS**1. Topanga Cyn Boulevard and 118 Freeway Eastbound Ramps**

Fund a proportionate share of the cost of the design and construction of the LADOT's 118 Freeway Corridor ATSAC/ATCS System, for the Intersection of Topanga Canyon Boulevard & 118 Freeway Eastbound Ramps. This project's proportionate share of the cost of the ATSAC/ATCS System is equal to the number of significantly impacted intersections multiplied by the average ATSAC/ATCS System cost per intersection. The current cost of the Ronald Reagan Freeway Corridor ATSAC/ATCS System is \$102,000 per intersection. ATSAC/ATCS improvements shall be guaranteed through a cash payment prior to the issuance of any building permit. Since the cost of ATSAC/ATCS improvements is reviewed and adjusted periodically, the actual cost may change depending on when payment is made.

2. Topanga Cyn Boulevard and 118 Freeway Westbound Ramps

Widen the westbound off-ramp of the Simi Valley Freeway at Topanga Canyon Boulevard by 9 feet from Topanga Canyon Boulevard to a point approximately 260 feet easterly as shown in attachment no. 1. This will be accomplished by widening the north side of the ramp by 5 feet and widening variably by 4 feet on the south side of the ramp to provide two left-turn-only lanes and an optional through-right-turn only lane. Relocate and modify the traffic signal equipment, street lights, curbs and gutters, trees, utilities etc. as required. This mitigation needs to be approved by all affected municipalities or agencies, including the State of California Department of Transportation (Caltrans) through the Encroachment Permit process.

3. Chatsworth Street and Canoga Avenue

Widen Canoga Avenue and Chatsworth Street, within the existing right-of-way to provide a left-turn-only lane and a shared through-right turn lane for southbound Canoga Avenue at Chatsworth Street as shown in attachment no. 2. Modify the signal phasing at this location to provide southbound to eastbound left-turn phase as well as a congruent right-turn arrow for vehicles traveling westbound to northbound at this intersection. Relocate and modify any existing traffic signal equipment, street lights, power poles, trees, signs, curb and gutters, utilities, etc. as required.

4. Chatsworth Street and De Soto Avenue

Widen Chatsworth Street at De Soto Avenue to provide dual left-turn-only lanes, a through lane, and a right-turn only lane for eastbound Chatsworth Street at De Soto Avenue as shown in attachment no. 3. Modify the signal phasing at this location to provide an eastbound to northbound left turn phase. Relocate and modify any existing traffic signal equipment, street lights, power poles, trees, signs, curb and gutter, utilities, etc. as required.

LADOT VALLEY PROGRAMS TEL: 818-756-9793

Jun 11 02

9:35 No.003 P.03/04

Mr. Keith Chih

3

June 6, 2002

Additional Requirements**5. Canoga Avenue between Candice Place and 118 Freeway**

Widen Canoga Avenue to collector street standards, within the existing right-of-way from Candice Place to the County boundary line at the 118 Freeway including curb, gutter and sidewalks. In addition to these improvements extend the existing equestrian trail, located on the east side of Canoga Avenue, from its terminus located north of Candice Place to an existing dirt trail located just north of the 118 Ronald Reagan Freeway.

6. Equestrian Crossing Signals on Canoga Avenue

Install two self actuated equestrian crossing signals on Canoga Avenue. The first location should be at the intersection of Canoga Avenue and Rinaldi Street. The second should be north of the 118 Ronald Reagan Freeway at or near the terminus of the equestrian trail located on the east side of Canoga Avenue

The above transportation improvements shall be guaranteed, before the issuance of any building permit for this project, through the B-Permit process of the Bureau of Engineering, Department of Public Works, and must be completed before the issuance of any certificate of occupancy to the satisfaction of LADOT and the Bureau of Engineering. Prior to setting the bond amount, the Bureau of Engineering shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator at (213) 580-5320 to arrange a pre-design meeting to finalize the design for the required transportation improvements.

7. Neighborhood Traffic Management Plan

Prior to the issuance of any building permit the applicant shall execute and record a covenant and agreement to mitigate cumulative traffic impacts in the residential neighborhoods adjacent to Canoga Avenue in the City of Los Angeles through the development of a Neighborhood Traffic Management Plan. This mitigation shall be guaranteed through either a cash deposit or irrevocable letter of credit or a cash certificate of deposit payable to LADOT in the amount of \$200,000 prior to the issuance of any building permit. Three years after the issuance of the final certificate of occupancy of the entire project, the applicant may request a refund of the unused money which shall only be granted if DOT and the 12th District Council Office determine that all of the provisions of the Neighborhood Traffic Management Plan have been fully complied with and no additional improvements are necessary.

These measures are intended to control the volume of traffic along Canoga Avenue, as well as to restrict the use of local residential streets east of Canoga Avenue. Potential traffic calming measures may include, but are not limited to: the installation of speed humps, diverters, turn restrictions, signing and marking as determined by LADOT.

The City of Los Angeles appreciates your cooperation and assistance in mitigating traffic impacts

LADOT VALLEY PROGRAMS TEL: 818-756-9793

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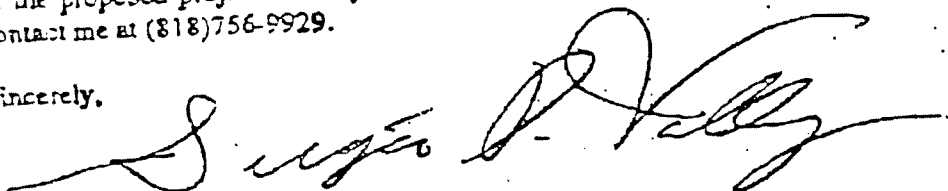
Mr. Keith Chih

4

June 6, 2002

of the proposed project on City streets and neighborhoods. If you have any questions, you may contact me at (818)756-9929.

Sincerely,



Sergio D. Valdez, Transportation Engineer
San Fernando Valley Developmental Review Section

SDV:36
E:10-01-01-782

Attachment

c: Twelfth Council District, City of Los Angeles
Supervisor Michael Antonovich, County of Los Angeles
Haripal S. Vir, Transportation Programs and Development Review
Robert Takesaki, DOT Metro Programs
Ken Firoozmand, West Valley District
Tim Conger, DOT Geometric Design
Emily Gabel-Luddy, Planning Department
David Shender, Linscott, Law and Greenspan

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 53138 (Rev.)

TENTATIVE MAP DATED 11-13-2003

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed and existing sewerage system servicing this land division. If the system is found to have insufficient capacity, upgrade of the proposed and existing sewerage system is required to the satisfaction of Public Works.
3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
4. All sewer pump stations shall be constructed to the satisfaction of Public Works.
5. Off-site improvements are required.
6. Easements are required, subject to review by Public Works to determine the final locations and requirements.
7. Outlet approval from the City of Los Angeles is required.
8. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani
Reviewed by Henry Wong *HW*
MSW

Phone (626) 458-4921

Date 12-15-2003

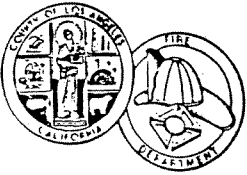
The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.
3. Off-site improvements are tentatively required.
4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.
5. All line of sight easements must be depicted on landscape plans.
6. Submit landscape and irrigation plans for each open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.
7. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Massoud Esfahani
Reviewed by Henry Wong *HW*
MSW

Phone (626) 458-4921

Date 12-15-2003



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

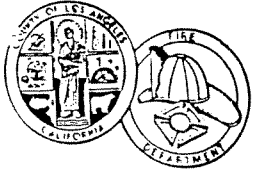
Subdivision: 53138 Map Date November 13, 2003
C.U.P. 99-239 Vicinity Malibu 266

- 1 ☐ FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- 5 ☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires weather access. All weather access may require paving.
- 6 ☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- 7 ☒ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- 2 ☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- 8 ☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- 9 ☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- ☒ 3 Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- 16 ☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- 17 ☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- 3 ☒ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- 18 ☐ The Fire Department has no additional requirements for this division of land.

Comments: See additional comment sheet.

By Inspector: Janna Masi Date December 11, 2003

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

LAND DEVELOPMENT UNIT REQUIREMENTS

ADDITIONAL PAGE

PAGE NO. 1

SUBDIVISION NO 53138

- 1 The completion of the helispot shall be done in compliance with Los Angeles County Fire Dept. Planning section.
Convey an easement to the Consolidated Fire Protection District of Los Angeles County for operation and maintenance of a helispot on lot 390.
The graded flat helispad shall be a minimum dimension of 275' by 125'.
The helispot shall be improved as follows:
 - Construct a 15' by 35' reinforced concrete pad.
 - Locate a fire hydrant at the helispad.
 - Construct a sump pit with a locking water supply with valve, and a locking drain valve to assure that the sump does not fill with water from rain or other run-off. The sump shall be 3 1/2' deep, 12' wide, by 12' long. The sump shall be made of steel-reinforced concrete. Its sides shall be sloped at such an angle as to prevent a fall from the edge into the sump, and the sump sides shall also be rough-stamped in such a manner to discourage activities such as skating, skateboarding, bicycling, etc., and coarse enough to provide easy egress should someone accidentally fall into the sump when full of water.
 - Cover remaining graded area with #2 rock, 5" deep.
 - The precise location, specifications, and details of these improvements shall be determined by the air operations section after the site has been graded.Establish Covenants, Conditions, and Restrictions (CC&Rs) which grant the Consolidated Fire Protection District of Los Angeles County (Fire District), or other agencies as agreed to by the Fire District, the exclusive use of the helispot. The CCRs shall also limit vertical obstructions such as trees, antennas, etc. within a specified radius of the site. Contact air operations section for specific details and approval of the CCRs.
Completion of the helispot shall be done prior to the occupancy of the 151st residential unit. Contact fire department air operations section for the inspection and approval of the completed helispot.
- 2 All lots where the dwellings farthest portion exceeds 150' from the street. Said driveway shall be paved 20' wide prior to construction.
- 3 The maximum allowable units to record on a single means of access is 150, until such time that the westerly connection to Topanga Canyon is completed to the specifications of the department of Public Works.
- 4 Single flag lot designs and/or two adjoining flags shall provide for 20' of actual pavement, clear to the sky. Indicate said access to be Private Driveway and Firelane on the final map.

- 5 Flag lots, three to four adjoining: Provide a minimum of 24' of paved vehicular access, then you can reduce down to 20' for the individual private driveways. Lots Not a part 5, 6, 7 and possible new lots shall also provide a fire department turnarounds.
- 6 Gated entrances shall provide a minimum vehicular width of 20' ingress and 20' egress. A turning radius of 32' shall be provided prior to the gate. Provide a detail to our department prior to final map clearance.

By Inspector: Janna Masi Date: December 11, 2003

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION REPORT

Tentative Map # 53138

DRP Map Date: 11/13/2003

SCM Date: 12/15/2003

Report Date: 12/09/2003

Park Planning Area # 34

OAT MOUNTAIN

Map Type: REV. (REV RECD)

Total Units

388

= Proposed Units

388

+ Exempt Units

0

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	3.12
IN-LIEU FEES:	\$424,320

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$424,320 in-lieu fees.

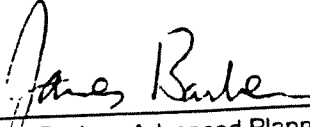
Trails:

See also attached Trail Report. SANTA SUSANA PASS TRAIL

Contact Patrocenia T. Sobrepeña, Acting Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tonda Lay, Trail Coordinator at (213) 351-5135.

By:


James Barber, Advanced Planning Section Head

Sup:
December 15, 2003 07
QMBO2



LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # 53138

DRP Map Date: 11/13/2003

SMC Date: 12/15/2003

Report Date: 12/09/2003

Park Planning Area # 34

OAT MOUNTAIN

Map Type: REV. (REV RECD)

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

$$(P) \text{ people} \times (0.003) \text{ Goal} \times (U) \text{ nits} = (X) \text{ acres obligation}$$

$$(X) \text{ acres obligation} \times \text{AFMV/Acre} = \text{In-Lieu Base Fee}$$

Where: P =

Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 1990 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

AFMV/Acre = Average Fair Market Value per Acre by Park Planning Area.

Total Units **388** = Proposed Units **388** + Exempt Units **0**

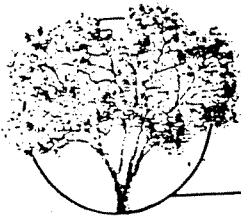
	People	Goal 3.0 Acres / 1,000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.68	0.0030	388	3.12
M.F. < 5 Units	2.04	0.0030	0	0.00
M.F. >= 5 Units	2.10	0.0030	0	0.00
Mobile Units	1.86	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				3.12

Park Planning Area = 34 OAT MOUNTAIN

Goal	Acre Obligation	AFMV / Acre	In-Lieu Base Fee
@(0.0030)	3.12	\$136,000	\$424,320

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Cdt	Priv. Land Cdt	Net Obligation	AFMV / Acre	In-Lieu Fee Due
3.12	0.00	0.00	3.12	\$136,000	\$424,320



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"



Tim Gallagher, Director

December 11, 2003

NOTICE OF TRAIL REQUIREMENT
FOR TRACT MAPS AND PARCEL MAPS

Map #: TR - 53138

Date on Map: November 13, 2003

Provide an easement for the Santa Susana Pass Trail to the satisfaction of the Department of Parks and Recreation's Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the Tentative Tract Map.

Provide a 12 foot easement for the Santa Susana Pass portion of the Marge Feinberge/Rim of the Valley Trail and the Deerlake Highlands Loop Trail to the satisfaction of the Department of Parks and Recreation's Standards.

- X TRAIL OK AS SHOWN.
- X CALL-OUTS MUST READ PROPOSED LOS ANGELES COUNTY RIDING AND HIKING TRAIL ON FINAL MAP.
- X TRAILS MUST REMAIN OPEN AND CONTIGUOUS THROUGHOUT CONSTRUCTION.
- X ALL TRAILS PROPOSED TO CONNECT TO ADJOINING PROPERTIES, IF SAID PROPERTIES REMAIN UNDEVELOPED, MUST BE REALIGNED WITHIN TRACT #53138.

Dedications and the exact following language must be shown for trail dedications on the first phase of final map.

Title Page: We hereby dedicate to the County of Los Angeles a variable width easement for Riding and Hiking purposes for the Deerlake Highlands Loop Trail and a 12 foot easement for Riding and Hiking purposes for the Santa Susana Pass Trail.

For any questions concerning trail alignment or other trail requirements, please contact Tonda Lay at (213) 351-5135.

Tonda Lay, Trails Coordinator



COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

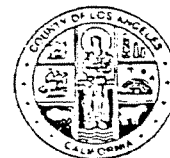
THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 • FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



BOARD OF SUPERVISORS
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Third District

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Michael D. Antonovich
Fifth District

November 25, 2003

Tract Map No. 53138

Vicinity: Chatsworth

Vesting Tentative Tract Map Date: November 13, 2003 (12th Revision)

The Los Angeles County Department of Health Services' approval for Vesting Tentative Tract Map 53138 is contingent upon the following conditions:

1. Potable water will be supplied by the Las Virgenes Municipal Water District, a public water system, which guarantees water connection and service to the entire development.
2. Sewage disposal will be provided through the public sewer and public wastewater treatment facilities of the Los Angeles County Sanitation District as proposed.
3. In the event that water wells are discovered during development, permits and written authorization must be obtained from this Department for proper decommissioning of the wells.

If you have any questions or need additional information, please contact Becky Valenti at (626) 430-5380.

Respectfully,

Patrick Nejadian, Chief E.H.S.
Mountain and Rural/Water, Sewage, and Subdivision Program

FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR CONDITIONAL USE PERMIT 99-239-(5)

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Conditional Use Permit Case No. 99-239-(5) on January 23, 2002, April 10, 2002, June 19, 2002, August 21, 2002 September 11, 2002 and September 3, 2003.
2. The applicant is proposing to construct a residential development on the subject property consisting of 388 single family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, and 21 open space lots, with 4 designated remainder parcels as defined in Government Code Section 66424.6, and project associated infrastructure to be developed in compliance with hillside management and density controlled development design review criteria.
3. A conditional use permit is required to authorize the proposed density-controlled residential development in a hillside management area, pursuant to Sections 22.56.205 and 22.56.215 of the County Code.
4. A conditional use permit for a density-controlled development allows clustering of the units into the least environmentally sensitive areas of the site while retaining the remaining portion of the property in permanent open space.
5. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for limited controlled development therein.
6. The subject site is located north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Canoga Avenue and the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.
7. The site is 230.58 acres in size, irregular in shape, and has flat to hilly topography. A large portion of the property is generally a plateau that is bordered to the west and south by Devils Canyon and to the east by Browns Canyon. It is generally vacant though five single-family residences and the foundations of several other residences remain on the site.
8. The majority of the subject property was historically known as the Deerlake Highlands tract, a Record of Survey subdivision of approximately 2,575 recorded in the late 1920's. These substandard sized lots have been occasionally conveyed, sold and acquired. They have been merged into 624 lots, each with a minimum of 6,000 square feet and have been granted 624 unconditional certificates of compliance.
9. Access to the site is provided by Topanga Canyon Boulevard to the west and Canoga Avenue to the east. Presently, the upper portions of the project site are accessible only via a substandard bridge across Devil Canyon from Canoga Avenue.

10. The site is zoned A-1-1 (Light Agriculture, 1 acre minimum required area) and R-1-6,000 (Single-family residential-6,000 square feet minimum required area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
11. The project complies with the applicable requirements of the A-1-1 and R-1-6,000 zoning classifications of the property.
12. Surrounding zoning is R-1-6,000 to the south (Twin Lakes), A-2-1 to the north, R-1-6000 to the east and A-1-1 to the west. A zone change to change the zoning on the property to the west to RPD-5,000-6U has been recommended for approval to the Board of Supervisors by the Regional Planning Commission.
13. Properties to the north of the subject property are vacant. Immediately to the west of the site is a proposed 65 unit residential condominium development which is adjacent to an existing multi-family development. To the south is the Twin Lakes community developed with single-family residences and to the east, across Brown's Canyon within the boundaries of the City of Los Angeles is Porter Ranch, a large master planned community with approximately 2,400 dwelling units either built or under construction.
14. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the land use policy map of the Los Angeles Countywide General Plan. The Rural Communities designation permits residential density of 1-6 dwelling units per acre. The Non-Urban designation permits a maximum density of 1 dwelling unit per acre. The project's proposed density is approximately 1.7 dwelling units per acre.
15. The Non-Urban designated portion of the subject property is located at the southeasterly edge of the site. This area contains relatively less steep hillsides and is appropriate for more urban development. The General Plan permits density transfer from urban to non-urban areas where topography or geologic conditions warrant such transfer. Fifty-four (54) units are proposed to be transferred from the urban area to the non-urban area, from that portion of the site designated Rural Communities to that designated Non-Urban. The transfer of this number of units is acceptable given the overall number of units and the topographic conditions.

After the density transfer, the project will consist of 54 dwelling units on 65.42 acres of the site designated as non-urban and 334 dwelling units on 165.16 acres of the site designated Rural Communities. The density of the proposed project is consistent with the land use classifications of the Los Angeles County General Plan.
16. The proposed project is consistent with the goals and policies of the General Plan. The project concentrates land use growth adjacent to existing urban development and the proposed density transfer allows for preservation of hillsides and flexibility in design. The density of the proposed project is compatible with the land use patterns of the surrounding community.
17. The non-urban portion of the subject property contains natural slopes of 25% or greater. Therefore, a conditional use permit to ensure compliance with hillside management design review criteria is required.

18. The slope analysis prepared for the non-urban portion of the project indicates that 18.23 acres are in the 0-25% category, 23.38 acres are in the 25-50% category, and 23.81 acres are in the 50% and above category. Based on the slope analysis prepared for the non-urban portion of the project, and the minimum and maximum number of units permitted under the General Plan and the zoning within the Rural Communities portion of the project, the maximum permitted residential density for the subject property is 1052 units and the low-density threshold is 176 dwelling units. The proposed project complies with these density thresholds.
19. The clustering of units is permitted, provided the overall density does not exceed the density permitted by the zoning.
20. Conditional Use Permit Case No. 99-239 was heard concurrently with Vesting Tentative Tract Map No. 53138 and Oak Tree Permit 99-239.
21. Vesting Tentative Tract Map No. 53138 is a related request to subdivide the subject property into 388 single-family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, and 21 open space lots, with 4 "remainder parcels".
22. Oak Tree Permit 99-239 is a related request to authorize the removal of 61 oak trees and encroachment into the protected zones of an additional 11 trees.
23. The applicant's site plan, labeled Exhibit "A", shows the 230.58 acre shaped property. The site plan depicts the project divided into 4 neighborhoods with distinct lots sizes, configurations and a range of housing types. Neighborhood 1 with 48 lots is located adjacent to the Twin Lakes community with the remaining 3 neighborhood accessed by two bridge crossings of Devil Canyon. A total of 155 lots within the project contain at least 15,000 square feet with 55 lots designed specifically for equestrian use and located adjacent to exiting and proposed riding and hiking trails. The site plan depicts a system of trails incorporated into the project with a loop trail connecting to the Santa Susana pass trail and an additional internal system. A sheriff facility is located at the entrance to the project at Topanga Canyon Boulevard and a Fire Department helipad is located at the northeast corner of the property.
24. Significant correspondence from surrounding neighbors and interested parties was received in opposition to the project. Comments included concerns about traffic impacts, loss of natural open space, safety issues, impacts on schools, lack of County services in the area, the need to maintain the existing rural lifestyle of Chatsworth, the need for access to properties to the north of the project, stormwater impacts on Devils Canyon, the need for a connecting trail system, the need to consider alternative access to the site from De Soto Avenue and the concern that the proposed density would be inconsistent with the density of the surrounding community.
25. During the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentation and extensive testimony from concerned neighbors. Much of the public testimony reiterated comments received in written correspondence but stressed the

need for reduced density, adequate trails, lots of at least 15,000 square feet and lots specifically designed to allow horse keeping and inclusion of a roadway connection to the north.

26. In response to community concerns, the Regional Planning Commission directed the project applicant to redesign the project keeping in mind the comments raised during the public hearing. The applicant participated in community meetings and formed a community advisory group to redesign the project in response to these comments. The project design approved by the Regional Planning Commission and the "additional conditions" proposed by the applicant resulted from these community meetings.
27. The applicant proposes grading to be balanced on site. A total of 2,249,000 cubic yards of earthwork is proposed. Total disturbed area will occupy approximately 157 acres
28. The proposed residential development will be required to comply with the development standards and requirements applicable to the R-1 and A-1 zones, as set forth in Sections 22.20.070 through 22.20.150 and Sections 22.24.070 through 22.24.110 of the County Code.
29. The proposed project's use of clustering, considerations given to size, scale and bulk, and modification in grading technique result in a visual quality that will complement community character and benefit current and future community residents.
30. Pursuant to Section 22.56.215.J.1 of the County Code, the proposed project is required to contain open space in an amount not less than 25 percent of the net urban hillside management area and not less than 70 percent of the net non-urban hillside management area. The proposed project has the necessary provision for open space, in that approximately 175 acres of open space will be provided, including 73.5 acres of undeveloped area, 58.7 acres of landscaped slopes, three mini-parks comprising 1 acre, and 4.69 acres of riding and hiking trails and 39 acres of landscaped yard. These open space areas represent approximately 76 percent of the project area.
31. As required by Section 22.56.215.J.1 of the County Code, provision will be made for landscaping all common or open space areas not to be left in a natural state, all utilities will be placed underground, and exterior elevation drawings indicating building heights and major architectural features shall be submitted to and approved by the Director prior to the issuance of any building permit.
32. Pursuant to Section 22.56.205 of the County Code, the applicant shall provide for the permanent reservation of all commonly owned areas, and no dwelling unit shall be sold, conveyed or otherwise alienated or encumbered separately from an undivided interest in the commonly owned areas.

It is the intent of the hillside management conditional use permit process to protect the resources in hillside management areas as specified in the Countywide General Plan from incompatible development which may result in or have the potential for environmental degradation and/or destruction of life and property. It is not the purpose of this process to

preclude development with these areas but to ensure, to the extent possible, that such development maintains, and where possible enhances, the natural topography, resources, and amenities of the hillside management areas while allowing for limited controlled development therein.

33. The project's location, size, design and operating characteristics have given consideration to harmony in scale, bulk, coverage, and density; the availability of public utilities, services and facilities; the generation of traffic and the capacity and physical character of surrounding and proposed streets; and the suitability of the site for the type and intensity of use or development which is proposed.
34. The proposed project includes community facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan.
35. The approval of the proposed dwelling units for the proposed development in non-urban hillsides is allowed since the proposed conditions of approval adequately mitigate problems of public safety, design, and environmental considerations as provided in the General Plan; and
36. The proposed project has the necessary provision for open space areas.
37. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: aesthetic/visual, air quality, archaeological/historical, drainage, flooding, fire hazard, geologic/seismic, noise, public services/facilities, schools, sewer capacity, soil erosion/grading, solid waste, traffic/circulation, vegetation, water quality, water supply, wetlands/riparian, wildlife, and cumulative effects. The Initial Study determined that an Environmental Impact Report (EIR) would be required.
38. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including aesthetic resources, air quality, biota, cultural resources, geology, hydrology and water quality, noise, traffic, public services, including fire protection, police protection and library services, and utilities, including water supply, waste water, solid waste, electricity and natural gas can be mitigated to a less than significant level through implementation of the mitigation measures identified in the EIR
39. A Final Environmental Impact Report for the project has been prepared in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report (FEIR) consists of the Draft EIR dated November 2001, the Technical Appendices to the Draft EIR

dated November 2001 and the Final EIR, including responses to comments dated December 2003.

40. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured, and its requirements have been incorporated into the conditions of approval for this project.
41. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.
42. Approval of this conditional use permit is conditioned on the applicant's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 53138.
43. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;

- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural biotic, cultural, scenic and open space resources of the area;
- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the approval of the proposed development within a hillside management area, with dwelling units exceeding the number permitted by the low-density threshold in non-urban hillsides and the midpoint of the permitted density range in urban hillsides, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance and the General Plan;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.215, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level, as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference.
2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.
3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 99-239-(5) is **APPROVED** subject to the attached conditions.

CONDITIONAL USE PERMIT NO. 99-239-17
CONDITIONS OF APPROVAL

1. This grant authorizes the use of the subject property for a total of 388 single-family residential lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, 21 open space lots, 4 "remainder parcels", and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the approved Exhibit A, subject to all of the following conditions of approval.
2. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No. 7.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, its successors and assigns, and any other person, corporation, or entity making use of this grant.
4. If any material provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
6. The terms and conditions of the grant shall be recorded in the office of the County Recorder prior to the issuance of any grading or building permit or concurrent with the recordation of the final map, whichever occurs first. In addition, upon transfer or lease of all or any portion of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees in the amount of \$875 payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code and Section 711.4 of the California Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.
8. The mitigation measures set forth in the Final Environmental Impact Report (EIR) for the project are incorporated by this reference and made conditions of this permit, and the permittee shall comply with the attached Mitigation Monitoring Program. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department of Regional Planning for review and approval by said department. The reports shall describe the status of the permittee's compliance with the required mitigation

measures. The reports shall be submitted in the following sequence:

- a. Prior to or concurrent with submittal of the revised Exhibit A to be approved by the Director of Planning prior to issuance of grading permits;
 - b. At the time of building permit issuance, including verification of payment of applicable fees. If the project is phased, a report shall be submitted at each successive phase;
 - c. Prior to occupancy clearances by the Department of Public Works;
 - d. Additional reports shall be submitted as required by the Director of Planning.
9. The subject property shall be graded, maintained in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity in violation of any such law, statute, ordinance or other regulation shall be a violation of these conditions. If any inspection of the subject property discloses that the property is being used in violation of any condition of this grant, the permittee may be required to reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment.
10. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding is filed as described above, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

12. This grant shall expire unless used within two years after recordation of a final map for Vesting Tentative Tract Map No. 53138. In the event that Vesting Tentative Tract Map 53138 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlements to the use of the property thereafter shall be subject to the regulations then in effect.
13. The subject property shall be graded, developed and maintained in substantial compliance with the approved Exhibit A, which includes the tentative tract map (dated November 13, 2003), Community Character booklet, and exhibit maps. Amended or revised tentative maps approved for Tentative Tract Map No. 53138 may, at the discretion of the Director of Planning, constitute a revised Exhibit A.
14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit A or a revised Exhibit A approved by the Director of Planning.
15. The development of the subject property shall conform to the conditions approved for Vesting Tentative Tract Map No. 53138 and Oak Tree Permit Case No. 99-239-(5).
16. No grading permit shall be issued prior to the recordation of a final map unless the Director determines that the proposed grading conforms to the conditions of this grant and the conditions of Vesting Tentative Tract Map 53138.
17. The applicant shall provide no less than 175 acres of open space, representing 76% of the project site, consisting of 73.5 acres of undeveloped area, 58.7 acres of landscaped slopes, three mini-parks comprising 1 acre, and 4.69 acres of riding and hiking trails and 39 acres of landscaped yards.
18. Two private active use areas shall be provided on open space lots 404 and 408 to the satisfaction of the Director of Planning. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit A.
19. A natural park area shall be provided on a portion of open space lot 402 as shown on the approved Exhibit A.
20. An equestrian rest area shall be provided and permanently maintained by the Homeowner's Association on the remainder parcel adjacent to lot 307, as depicted on the approved Exhibit A. If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit A.
21. The applicant shall pay the Quimby in-lieu fee of \$424,320 as required by the Department of Parks and Recreation.
22. The area of individual lots shall substantially conform to that shown on the approved Exhibit A and shall include at least 55 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse keeping. No portion of the designated area shall be closer than 35 feet to any habitable structure and shall comply with the

requirements of the Los Angeles County Code. Site plans depicting compliance shall be submitted to the Director of Planning prior to issuance of building permits.

23. This project is approved as a density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the proposed zones in accordance with Los Angeles County Code Section 22.56.205. The associated tentative tract map, Vesting Tentative Tract Map 53138, may record in phases as separate final maps, provided that the average area of all lots shown on each final map in conjunction with all previously recorded final maps complies with the minimum area requirements of the zones where the lots are proposed with reduced areas. In the event any portion of the subject property is further subdivided in the future, the area of the proposed lots shall be averaged with all of the subject property to collectively conform to the minimum lot area requirements.
24. Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for tentative tract map 53138 shall be submitted to and approved by the Director of Planning indicating that the proposed grading and/or construction:
 - a. complies with the conditions of this grant and the standards of the zone; and
 - b. is compatible with hillside resources.
25. Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.
26. All utilities shall be placed underground.
27. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
28. Prior to recordation of any final map for associated Tentative Tract Map 53138, the permittee shall submit copies of the Covenants, Conditions and Restrictions (CC&R's) for the project. The CC&R's shall include a prohibition on the use of water softener units in the single-family residences which discharge chemical agents into the public sewer system.
29. During construction the permittee and its contractor shall comply with Sections 12.12.010-12.12.100 of the Los Angeles County Code regarding building construction noise.
30. On-site grading shall be limited to that which is necessary to construct roads, bridges, parks, community facilities, common area facilities, building pads within housing neighborhoods, and other improvements shown on the approved Exhibit A.
31. Detonation of explosives or any other blasting devices or material shall be prohibited unless all required permits have been obtained and the requirements of Condition No.55 have been met.
32. All grading and construction and appurtenant activities, including engine warm-up, shall be

restricted to Monday through Friday, between 7:00am and 6:00pm, and Saturday between 8:00am and 5:00pm. No Sunday or holiday operations are permitted.

33. The permittee shall, upon the commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
34. No construction equipment or vehicles shall be parked or stored on any existing public or private street.
35. No recreational vehicles shall be parked or stored on any street within the development. The permittee shall provide for continuous enforcement of this restriction in the project's covenants, conditions and restrictions.
36. To the extent authorized by applicable law, the permittee shall encourage the hiring of disadvantaged business enterprises to participate in project construction. This shall include outreach and public education efforts.
37. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.
38. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County of Los Angeles.
39. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
40. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to confirm what facilities may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to water mains, fire hydrants and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Department.
41. The subject property shall be developed, operated and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department. The proposed project will fulfill its statutory responsibilities related to water conservation through its compliance with Health and Safety Code Section 17921.3 which requires low-flush toilets in all new construction, Title 24 of the California Code of Regulations Sections 2-5352 (I) and (J) which requires hot water pipes to be insulated and Government Code Section 7800 which requires lavatories to have self-closing faucets in public restrooms.

42. All graded slopes (cut and fill) shall be revegetated. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted to and approved by the Planning Director before issuance of a grading permit. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and the Los Angeles County Fire Department. Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements.

The landscaping plan must show that at least 50% of the area covered by landscaping will be locally indigenous species, including not only trees, but shrubs and ground covering as well. However, if the applicant can prove to the satisfaction of staff that planting 50% or more locally indigenous species is not possible due to County fire safety requirements, then staff may determine that a lower percentage of such planting is required. In those areas where staff approves a reduction to less than 50% locally indigenous vegetation, the amount of such planting required shall be at least 30%. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by staff and the Fire Department. Fire retardant plants should be given first consideration.

Permitted Plantings. Trees, shrubs and ground coverings indigenous to the local region may be used for the required 50% locally indigenous landscaping. Fire retardant and locally indigenous plants that may also be used for the required 50% of such landscaping can be found on the attached list (marked Appendix B) compiled by the Los Angeles County Fire Department. Ailanthus, Arundo, Hedera, Cynodon, Dactylon and other highly invasive species shall be prohibited. This list may be amended as approved by staff.

Timing of Planting. Prior to the issuance of building permits for any construction, the applicant shall submit a landscaping and phasing plan for the landscaping associated with that construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and ground coverings shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The applicant shall supply information for staff review of the completed landscaping at such time to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, staff may require replacement planting as necessary to assure completion in accordance with such plan.

These requirements shall not apply to areas which have been previously landscaped and irrigated during other phases of development.

ADDITIONAL CONDITIONS

The development of the subject property shall also be subject to all of the following conditions proposed and agreed to by the permittee, which are in addition to the conditions of approval set forth above:

GRADING AND CONSTRUCTION ACTIVITIES

43. All of the conditions of approval shall be included with, and made a part of, all construction contracts.
44. Prior to start of construction, including any grading activity, the permittee and its appropriate contractor representatives shall conduct a pre-construction meeting with members of the community. The Twin Lakes Property Owners Association and Chatsworth Neighborhood Council shall be duly notified in order to plan such a meeting and a copy of the notice shall be submitted to the Director of Planning.
45. All grading activities, including engine warm-up, shall be restricted to the hours between 7:00am and 6:00pm. No Saturday, Sunday or County-observed holiday grading operations are permitted.
46. Other construction operations, such as framing, as well as landscaping and interior building construction shall be limited to Monday through Friday between the hours of 7:00am and 6:00pm and on Saturday between the hours of 8:00am and 5:00pm. No such work shall be permitted on Sunday or County-observed holidays.
47. Off-site vehicular traffic through the Twin Lakes Community by construction equipment and/or contractors' vehicles shall be prohibited. In addition, permittee shall specify authorized routes for construction-related vehicles, including delivery and contractor employee vehicles, through the area bounded by DeSoto Avenue, Devonshire Street, Topanga Canyon Boulevard and State Route 118. Permittee will post necessary signs and/or personnel at all entries to Twin Lakes and streets not permitted as authorized routes to ensure enforcement of these prohibitions.
48. All vehicles used by construction personnel, including those of outside suppliers and independent contractors, shall be parked on-site. Parking of such vehicles shall not be permitted offsite, including along Mayan Drive, Canoga Avenue, or within any portion of the nearby communities.
49. The permittee shall make available to the Twin Lakes Property Owners Association and any other interested party, and post signs in English and the predominant second language(s) in the area, at the entry points to the project site, the name and 24-hour toll free telephone number of the permittee's site representative, which may be the general contractor. The sign shall also include the telephone number of the Los Angeles County Department of Regional Planning's Zoning Enforcement Section, the Department of Public Works' Building and Safety Division

and the South Coast Air Quality Management District. If the site representative is not the general contractor, the telephone number of the general contractor's representative shall also be provided. The representative who monitors the 24-hour telephone line shall have a weekend and evening contact list for all contractors and subcontractors on the job site.

In the event that the representative receives a complaint that the permittee or any contractor or subcontractor has failed to comply with any conditions of the tentative subdivision map, conditional use permit, oak tree permit, or any other permits or applicable codes, regulations or laws, the representative shall respond to the complainant within two (2) hours of the first call for calls made between the hours of 8:00am and 5:00pm and by 9:00am the following morning for calls received after 5:00pm and before 8:00am. If the situation is reasonably construed to be an emergency, response shall be provided within two hours no matter what time the initial call is made. Actual attempts to resolve the complaint must begin as soon as reasonably practical and shall be diligently pursued until completed. Vehicles and construction equipment operated by the permittee and its representatives are allowed access during off-hours to undertake activities related to resolving complaints. A log of complaints and resolution of the complaints shall be maintained, including the date and time of call and date and time of resolution, and shall be made available for inspection upon request of the community members or government agencies. If, after the appropriate written notice, the permittee, its contractors, and/or subcontractors fail to comply with any conditions of the tentative tract map, conditional use permit, oak tree permit, or other permits or applicable codes, regulations or laws, the permittee, its contractors and/or subcontractors shall be subject to all penalties, including financial, as prescribed by law.

50. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works. Water tanks and water trucks shall be available on-site 24 hours per day, 7 days per week, prior to and during any grading operations to ensure that effective dust control measures can be implemented and sustained during these operations. Permittee shall comply with SCAQMD Rule 403 at all times. Grading cut and fill quantities shall be balanced on-site and no direct import or export of dirt shall be permitted off-site, except for import of certain select materials such as landscape top soil, decomposed granite for trails and other sub-base materials to comply with Los Angeles County Department of Public Works standards for construction.
51. All construction-related vehicles and equipment, whether or not regulated by the California Vehicle Code, shall adhere to the requirements of the Los Angeles County Noise Ordinance, Title 12, Section 12.08.440, and the mitigation measures provided for in Section 4.7 of the EIR.
52. No access by heavy construction equipment or vehicles, or delivery of construction materials, shall be permitted onto the project site via Canoga Avenue prior to 9:00 a.m. and after 2:00 p.m. Mondays through Fridays. No such access or deliveries shall be permitted on weekends or holidays.
53. Upon completion of "A" Street and the bridge, as shown on the approved tentative map, access to the project via Canoga Avenue by heavy construction equipment or vehicles or for delivery of construction materials shall be prohibited.
54. All construction equipment shall utilize modern emissions control technology as outlined in

the EIR to minimize emissions. In addition, all waste shall be disposed of properly. Recyclable construction materials shall be collected in appropriately labeled containers, and non-recyclable materials and waste products must be transported to appropriate landfills or other disposal facilities. All toxic or hazardous waste must be disposed of at appropriately licensed facilities. Leaks, drips and spills, whether accidental or in connection with equipment maintenance procedures, must be cleaned up immediately to prevent soil and/or water contamination. Dry clean-up methods shall be used wherever possible rather than hosing down material spills. Drop cloths or drip pans shall be employed in connection with equipment maintenance.

55. If blasting is found to be necessary within the project area, the permittee shall obtain a blasting permit subject to all of the following:
- a. Enlist the services of a registered seismologist to obtain and evaluate seismic data.
 - b. Inspect all structures (interior and exterior) within a 300 foot radius of any and all areas to be blasted, checking and documenting pre-blasting conditions. The review is to be accomplished by the licensed seismologist and the County grading inspector.
 - c. Obtain the State-required blasting permit from the Los Angeles County Fire Department
 - d. Have the seismologist at, or near, the closest structure, or any structures deemed most susceptible to shock effects whenever blasting occurs. The seismologist shall submit two copies of a weekly summary of blasting activity with test results to the permittee's construction project administrator. One copy of this report shall be submitted to the County grading inspector.
 - e. The seismologist and County grading inspector shall re-inspect the structures within the same area described in "b" above for post-blasting conditions. Re-inspections shall be fully documented.
 - f. As agreed, if complaints are made by nearby residents, the County grading inspector shall notify the Twin Lakes Property Owners Association of the nature of the complaint, that the complaint is being investigated and that comments for consideration during the investigation may be considered. As a result of the investigation, further conditions or restrictions may be imposed by the Department of Public Works, including prohibitions on further blasting operations if it is determined by said department that further blasting operations present a safety hazard or unreasonable public nuisance.
 - g. Blasting shall be conducted between 1:00pm and 3:00pm and at a time when potential dust generated by blasting activities would not adversely impact nearby residents by prevailing wind, except that other blast times may be authorized by the County grading inspector, subject to the notification procedure in "h" below.
 - h. Every Friday by 4:00pm, all residents and businesses within a 2,000 foot radius of the blast location shall be notified in writing when blasting is to occur for the following week, including the days and times (1:00pm to 3:00pm except as otherwise authorized) and the estimated duration of each blasting activity, and a copy of the notice shall be submitted to the Director of Planning. This blasting schedule shall be approved by the County building

inspector prior to distribution.

- i. Water and other approved dust inhibitors must be placed over the blast area a minimum of one hour prior to actual blasting.

TRAILS

56. During grading and until completion of the permanent trails within the project, the permittee shall coordinate with representatives of the various local equestrian groups and other interested persons to locate and build temporary riding and hiking trails which, when physically possible, will connect to existing trails from Devil Canyon and Browns Canyon north of the project. These temporary trails may be relocated from time-to-time due to the need to accommodate construction activity. The proposed locations and construction of the temporary trails shall be reviewed by the Trails Coordinator for the Los Angeles County Department of Parks & Recreation.
57. Prior to recordation of the final map for Vesting Tentative Tract Map No. 53138, the permittee shall install appropriate guard railing on top of, and along the approaches to, the existing dam (Old Canoga bridge) within Devil Canyon to the satisfaction of the Trails Coordinator for the Department of Parks & Recreation.

SCHOOLS AND OTHER FACILITIES

58. In the event that the Los Angeles Unified School District (LAUSD) agrees to allocate school fees generated by this project to specific local school construction, remodeling and or renovation for schools located within the Chatsworth community, to the extent authorized by law and subject to the terms of a joint financing agreement with the County of Los Angeles providing for payment of school fees from proceeds of bonds issued by a Community Facilities District, the permittee agrees to pay that portion of the fees, not to exceed 80% of the total estimated fees due, to LAUSD from proceeds of the first bond sale.
59. Subject to an agreement with the City of Los Angeles (City), the permittee shall provide evidence to the Director of Planning that a contribution to the City's Chatsworth Library in the amount of \$125,000 has been made.
60. The permittee shall construct a Sheriff's storefront facility, not to exceed 800 square feet in size but no less than 600 square feet in size, as depicted on the approved Exhibit A. The facility shall be offered to the Sheriff's Department under appropriate terms and conditions as provided for in an agreement between the County and the permittee. The Sheriff's facility shall be constructed as soon as "A" Street has been completed and Mayan Drive has been relocated, as shown on the approved Exhibit A, to the satisfaction of the Los Angeles County Department of Public Works. In addition to parking required to serve the Sheriff's facility, an additional 4 parking spaces, at a minimum, shall be provided for trail users.
61. Prior to the issuance of any building permit, the permittee shall provide evidence to the Director of Planning that a contribution has been accepted, or rejected, by the appropriate City agency in the sum of three hundred thousand dollars (\$300,000) for the exclusive purpose of financing the cost of constructing a child care center in Mason Park.

62. Prior to recordation of a final map for Tract Map No. 53138, the permittee shall pay directly to the Twin Lakes Property Owners Association the sum of \$230,000 to be used by the Association for the construction of signs, monuments, mail boxes, mail box shelters, street signs, paving and/or re-paving of roads, and any other related community improvement on Association's members' properties that the Association deems appropriate. Prior to payment of the \$230,000.00, the Twin Lakes Property Owners Association shall submit to permittee a declaration executed by the Association's officers stating that said sum will be used for the benefit of the Twin Lakes community for purposes substantially as specified herein.
63. The permittee shall use its reasonable best efforts to work with the County-franchised Cable TV operator to have the franchisee provide cable services to the existing Twin Lakes community.
64. In the event that a Community Facilities District (CFD) is proposed to fund public facilities for the project, prior to recordation of a final map for Tract Map No. 53138, the permittee shall request that the CFD include funding in an amount not to exceed \$2 million for the design and construction of public main-line sewers, including five foot lateral stubs in the public right of way, to serve the existing Twin Lakes community. To the extent authorized by law and subject to the County's sale of CFD bonds for that purpose, such CFD funding may be used to make a contribution to a County Improvement District (CID) which may be formed by the Board of Supervisors, at the request of the Twin Lakes community, specifically for the design, acquisition of rights of way through grant or condemnation, and construction of main line sewers within that community. Alternatively, in the event a CID is not formed in a timely manner, or is deemed to be an inappropriate means of implementation, the permittee may construct the public mainline sewers under a private contract, subject to funding by the CFD and acquisition of right-of-way through grants of easements or condemnation by the County. Under either alternative, the mainline sewer shall be owned and maintained by the Los Angeles County Sewer Maintenance District:

In the event the rights of way for the main line sewer have not been obtained by the CID, the permittee, or the County of Los Angeles within 2 years of the recordation of the first final map of Vesting Tentative Tract Map No. 53138, the permittee shall not be obligated hereunder.

In addition to the construction of the main line sewer, permittee shall "stub out" the sewer lateral to the edge of the easement for the main line sewer for each lot in "old" Twin Lakes on which a house has been or could be constructed. Property owners will be responsible for their own hook up fees (estimated in 2002 to cost \$3,900) and for the construction of their own private connections between their house and the main sewer line easement.

Following the installation of the main line sewer, all roads disturbed by the trenching for the main line sewer shall be paved with an asphalt overlay of the existing road base. Any damage by permittee's sewer contractor to Twin Lakes community roads not disturbed by the sewer installation shall also be repaired to their prior state.

Details concerning the implementation of this condition, including the funding source and time limit for obtaining necessary rights-of-way, may be amended, if the Director of Planning determines it is appropriate and necessary, after approval of changes are negotiated between the project developer and community members.

TRAFFIC IMPROVEMENTS

65. As required by the project mitigation measures, the permittee shall comply with the traffic improvement conditions set forth in the letter dated July 28, 2003 from the Los Angeles County Department of Public Works to Linscott, Law and Greenspan, the applicant's traffic consultant. All transportation improvements shall be subject to the issuance of all required permits by the agencies with appropriate jurisdiction, including Los Angeles County Department of Public Works (LACDPW), Los Angeles City Department of Transportation (LADOT) and the California Department of Transportation (CALTRANS).
66. As agreed between the permittee and CALTRANS, the permittee shall provide to CALTRANS a payment of \$455,477.00 as its equitable share of long-term traffic improvements within State rights-of-way at the Topanga Canyon Boulevard (SR-27) and SR-118 Freeway interchange. The payment shall be made prior to recordation of the final map for Vesting Tentative Tract Map No. 53138.

In addition, the permittee shall construct the following additional traffic improvements as depicted on the approved Exhibit A (Exhibit A-2, "Off-site Improvements").

Equestrian Crossing Signals

67. The permittee shall install two self-actuated equestrian crossing signals on Canoga Avenue. The first location shall be at the intersection of Canoga Avenue and Rinaldi Street. The second location shall be north of the 118 Freeway at or near the terminus of the equestrian trail located on the east side of Canoga Avenue. In addition, the permittee shall install stop signs or other warning signs or traffic control signals at locations where future trails will cross public roads, if approved by the Department of Public Works, CALTRANS and/or LADOT.

Three-Way Stop Signs

68. The permittee shall work with the Department of Public Works to obtain appropriate approvals for the installation of three-way stop signs at the proposed intersection of Mayan Drive and "B" Street.

Neighborhood Traffic Management Plan

69. The permittee shall construct improvements which are intended to control the volume of traffic along Canoga Avenue as well as to restrict the use of local residential streets east of Canoga Avenue to the satisfaction of LADOT. Potential traffic control measures shall include, but are not limited to:
- a. Three-way stop signs at the intersection of Canoga Avenue and Candice Place and installation of a "No Left Turn" sign from southbound Canoga Avenue to Candice Place, prohibiting such movement between 6:00am and 9:00am.
 - b. "Speed humps" along Canoga Avenue between the 118 Freeway and Candice Place, and an additional speed bump south of Candice Place.
 - c. "No Left Turn" signage at the intersection of Canoga Avenue and Celtic Place.

- d. Paint a crosswalk on Chatsworth Street east of the intersection with Independence Avenue.
- e. Install permanent signs along Canoga Avenue displaying "Watch For Equestrians," or similar language.
- f. Install signs during the project construction period displaying "Jake Breaking Strictly Prohibited," or similar language.

Pavement Repair

- 70. The permittee shall be responsible to repair damage to existing pavement, as well as for clean-up of dirt spillage from construction vehicles, on Canoga Avenue, between Chatsworth Street and the 118 Freeway, to the extent the paving on Canoga Avenue degrades, in the opinion of LADOT, during grading.

MONITORING

- 71. Prior to any future residential development of the remainder parcels shown on Vesting Tentative Map No. 53138, the permittee shall submit a site plan for each parcel to be developed to the Director of Planning for review and approval.
- 72. Prior to approval of a final map for Vesting Tentative Tract Map No. 53138 or any grading or building permit, the permittee shall submit to the Department of Regional Planning, a matrix or other instrument for monitoring of project conditions. The matrix shall list the approved conditions of Conditional Use Permit Number 99-239-(5), Vesting Tentative Tract Map No. 53138-(5), and Oak Tree Permit 99-239-(5), as well as provisions for reporting the periodic status of the completion of, and/or compliance with, the project conditions to the Director of Planning. The format of the matrix may be revised from time to time, as approved by the Director of Planning, but the requirement of providing the status of the completion of, and/or compliance with, the project conditions shall not be revised.
- 73. The permittee shall deposit with the County of Los Angeles the sum of \$2,400 per month during the first forty-eight months of grading and construction activities for the purpose of funding site inspections by the Department of Regional Planning and monitoring of the conditions of approval of this grant and the associated Vesting Tentative Tract Map No. 53138. The fee shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, and to pay the cost to the County for mitigation monitoring. The frequency of the inspections and monitoring activities shall be as determined by the Director of Planning.
- 74. The project's Conditions, Covenants and Restrictions shall incorporate the Architectural Design portion of the Community Character Statement (pages A-4.17 through A-4-40) to ensure that the general architectural themes and styles of the Community Character Statement are incorporated into the project.

Attachments

**FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR
OAK TREE PERMIT 99-239-(5)**

1. The Los Angeles County Regional Planning Commission conducted a public hearing in the matter of Oak Tree Permit Case No. 99-239-(5) on January 23, 2002, April 10, 2002, June 19, 2002, August 21, 2002 September 11, 2002 and September 3, 2003.
2. The subject site is located north of State Route 118 (Simi Valley Freeway) at the northerly terminus of Canoga Avenue and the northerly terminus of Topanga Canyon Boulevard in the Chatsworth Zoned District.
3. The site is 230.58 acres in size, irregular in shape, and has flat to hilly topography. A large portion of the property is generally a plateau that is bordered to the west and south by Devils Canyon and to the east by Browns Canyon. It is generally vacant though five single-family residences and the foundations of several other residences remain on the site.
4. Access to the site is provided by Topanga Canyon Boulevard to the west and Canoga Avenue to the east. Presently, the upper portions of the project site are accessible only via a substandard bridge across Devil Canyon from Canoga Avenue.
5. Oak Tree Permit 99-239-(5) requests authorization to remove 61 oak trees and encroach into the protected zones of an additional 11 trees in conjunction with the construction of a residential development, pursuant to Section 22.56.2060 of the Los Angeles County Code.
6. The applicant has submitted an Oak Tree Report prepared by a certified arborist that identifies and evaluates a total of 357 oak trees.
7. The Los Angeles County Forester and Fire Warden, Forestry Division, has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The County Forester has recommended approval of the requested removals and encroachments, subject to recommended conditions of approval including replacement trees to be provided on a 2:1 basis. The total mitigation planting includes 106 specimen oak trees. In addition, 106 acorns shall be planted, as required by this Commission.
8. Vesting Tentative Tract Map 53138 is a related request to authorize the creation of 388 single-family lots, 14 private and future street lots, 4 debris basin lots, 1 helipad lot, 1 Sheriff's storefront facility lot, and 21 open space lots with 4 "remainder parcels".

9. Conditional Use Permit 99-239-(5) is a related request to authorize the proposed density controlled residential development in a hillside management area, pursuant to Sections 22.56.205 and 22.56.215 of the Los Angeles County Code.
10. The removal of the 61 oak trees and encroachment into the protected zones of an additional 11 trees is necessary to allow the construction of proposed streets, building pads and other related and necessary improvements, due to site constraints such as topography and drainage.
11. The necessary drainage improvements for soil erosion control will be designed in accordance with the standards of the Department of Public Works as condition of tract approval.
12. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment in the following areas: aesthetic/visual, air quality, archaeological/historical, drainage, flooding, fire hazard, geologic/seismic, noise, public services/facilities, schools, sewer capacity, soil erosion/grading, solid waste, traffic circulation, vegetation, water quality, water supply, wetlands/riparian, wildlife, and cumulative effects. The Initial Study determined that an Environmental Impact Report (EIR) would be required.
13. The Environmental Impact Report prepared for this project concluded that no significant effects which cannot be avoided or mitigated have been identified. All potentially significant environmental impacts including aesthetic resources, air quality, biota, cultural resources, geology, hydrology and water quality, noise, traffic, public services, including fire protection, police protection and library services, and utilities, including water supply, waste water, solid waste, electricity and natural gas can be mitigated to a less than significant level through implementation of the mitigation measures identified in the EIR.
14. A Final Environmental Impact Report for the project has been prepared in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report (FEIR) consists of the Draft EIR dated November 2001, the Technical Appendices to the Draft EIR dated November 2001 and the Final EIR, including responses to comments dated December 2003.
15. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the project to the environment is ensured, and its requirements have been incorporated into the conditions of approval for this project.

16. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Part 16 of Chapter 22.56 of the Los Angeles County Code.
- B. That removal of 61 oak trees and encroachment into the protected zone of 11 additional trees is necessary for development reasons as continued existence of the trees at their present location frustrates the planned improvements or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive;
- C. That the removal of the 61 oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- D. That the removal of the oak trees proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure;.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. After review and consideration of the information contained in the Final Environmental Impact Report, the Regional Planning Commission certifies that Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project have been reduced to an acceptable level as described in the attached Environmental Findings of Fact, which findings are incorporated herein by reference;
- 2. The Mitigation Monitoring Program for the proposed project, incorporated in the Final EIR is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
- 3. In view of the findings of fact presented above, Oak Tree Permit 99-239-(5) is **APPROVED** subject to the attached conditions.



OAK TREE PERMIT NO. 99-239-(5)
CONDITIONS OF APPROVAL

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. This grant authorizes the removal of 61 oak trees and encroachment into the protected zone of 11 trees as shown in the Oak Tree Report and subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 4 and until all required monies have been paid pursuant to Condition No. 9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the terms of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal and until satisfactory evidence has been submitted to the Director that authorization by the state for funding in an amount sufficient for the permittee to undertake the project has occurred.
9. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public

Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$ 1,275.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of \$1000.00. Such fee shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

The above fees provide for ten (10) subsequent annual inspections until the conditions of approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the update document on file at the Department of Regional Planning by L. Newman Design Group, Inc., the consulting arborist, dated June 10, 2003.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and County Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
13. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53138.
14. The permittee shall install temporary fencing, not less than four (4) feet in height, to secure the protected zone of all remaining oak trees within the vicinity of grading and construction operations during construction as recommended by the County Forester. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester or the Director of Planning. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning) or 15 feet from the trunk, whichever is greater.
15. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map., Mitigation Planting Plan and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

16. This grant allows removal of 61 trees of the Oak genus identified as Tree Numbers 2, 7A, 7B, 7C, 7D, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 68, 170, 174, 197, 198, 199, 200, 201, 202, 202A, 202B, 202C, 202D, 202E, 202F, 202G, 259, 260, 261 280, 282, 284 and 285 on the applicant's site plan map and Oak Tree Report. Technically, trees identified as numbers 17, 19, 41, 52, 55, 56, 68 and 170 (8 total) are not protected under the ordinance since they do not meet the minimum size requirement. However, they are very close to and will probably meet the minimum requirements if they survive through one more growing season.

The applicant will not be required to mitigate for removal of the eight trees unless they are of ordinance size upon removal. The project arborist shall notify the County Forester one week prior to scheduled removal so that final measurement of the tree can be made to determine the need to provide additional mitigation trees.

The grant allow encroachment within the protected zone of 11 trees of the Oak genus identified as Tree numbers 33, 34, 70, 72, 172, 206, 256, 257, 258, 261B and 274B on the permittee's site plan and Oak Tree Report. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

17. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.
18. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, Oak Trees: Care and Maintenance, prepared by the Forestry Division of the County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

19. The permittee shall provide mitigation trees of the Oak genus at a rate of 2:1 for each tree removed (53) for a total of 106. For the 8 trees identified in Condition No. 11, required mitigation will be determined by the County Forester at such time as the trees are scheduled for removal.
20. Each mitigation tree shall be at least a fifteen-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.

21. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source and be of high-quality.
22. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted in the same watering zone as each mitigation tree.
23. Mitigation trees shall be planted within one year of the permitted oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted on-site in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted off-site at an approved location, or a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resources loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
24. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The three- year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
25. The project arborist shall inspect all mitigation trees on a quarterly basis for two years after completion of construction. The arborist's observations shall be reported to the County Forester, including any loss of trees.
26. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance, once the trees have survived the required maintenance period.
27. Prior to the planting of the trees, the biologist/arborist for the permittee shall determine planting sites, prepare planting plans and specifications, and a monitoring program, all of which shall be approved by the County Forester and the Department of Regional Planning.
28. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.
29. Trenching, excavation, or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

30. Installation of fencing around the perimeter of the properties shall be of wrought iron or wood post type construction wherever the fencing passes within 10 feet of any oak trunk. No block walls or other type of fence or wall construction which requires substantial trenching for foundations shall be located within ten feet of any oak tree in order to limit damage caused by such types of construction.
31. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited without an addendum prepared by the Forestry Division of the Los Angeles County Fire Department and approved by the Department of Regional Planning.
32. Should encroachment within the protected zone of any additional trees of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
33. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.
34. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
35. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any oak tree. No temporary structures shall be placed within the protected zone of any oak.
36. Violations of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
37. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director and the County Forester shall retain the right to make regular and unannounced site inspections.
38. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.
39. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County"), its agents, officers, and employees from any claim, action or proceeding against

the County, or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

40. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a) If during the litigation process, actual costs incurred by the department reach 80 percent of the amount on deposit up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b) At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by permittee according to Section 2.170.010 of the Los Angeles County Code.

41. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permittee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

- a. At the time of building permit issuance, include verification and payment of applicable fees;
- b. Additional reports as required by the Director

42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 553138. In the event that Vesting Tentative Tract Map No. 53138 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

43. This grant shall terminate upon the completion of all authorized oak tree removals and the completion of all required mitigation and monitoring to the satisfaction of the County of Los Angeles Forester and Fire Warden, Forestry Division.

OAK TREE PERMIT NO. 99-239-(5)
CONDITIONS OF APPROVAL

CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at either 818-890-5719 or 323-881-2481)

1. This grant authorizes the removal of 61 oak trees and encroachment into the protected zone of 11 trees as shown in the Oak Tree Report and subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 4 and until all required monies have been paid pursuant to Condition No. 9 and 10.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the terms of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal and until satisfactory evidence has been submitted to the Director that authorization by the state for funding in an amount sufficient for the permittee to undertake the project has occurred.
9. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public

Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$ 1,275.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of \$1000.00. Such fee shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

The above fees provide for ten (10) subsequent annual inspections until the conditions of approval have been met. The Director of Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the update document on file at the Department of Regional Planning by L. Newman Design Group, Inc., the consulting arborist, dated June 10, 2003.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and County Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
13. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Tentative Tract Map No. 53138.
14. The permittee shall install temporary fencing, not less than four (4) feet in height, to secure the protected zone of all remaining oak trees within the vicinity of grading and construction operations during construction as recommended by the County Forester. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester or the Director of Planning. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning) or 15 feet from the trunk, whichever is greater.
15. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map., Mitigation Planting Plan and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, and conditions of approval.

16. This grant allows removal of 61 trees of the Oak genus identified as Tree Numbers 2, 7A, 7B, 7C, 7D, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 68, 170, 174, 197, 198, 199, 200, 201, 202, 202A, 202B, 202C, 202D, 202E, 202F, 202G, 259, 260, 261 280, 282, 284 and 285 on the applicant's site plan map and Oak Tree Report. Technically, trees identified as numbers 17, 19, 41, 52, 55, 56, 68 and 170 (8 total) are not protected under the ordinance since they do not meet the minimum size requirement. However, they are very close to and will probably meet the minimum requirements if they survive through one more growing season.

The applicant will not be required to mitigate for removal of the eight trees unless they are of ordinance size upon removal. The project arborist shall notify the County Forester one week prior to scheduled removal so that final measurement of the tree can be made to determine the need to provide additional mitigation trees.

The grant allow encroachment within the protected zone of 11 trees of the Oak genus identified as Tree numbers 33, 34, 70, 72, 172, 206, 256, 257, 258, 261B and 274B on the permittee's site plan and Oak Tree Report. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

17. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.
18. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, Oak Trees: Care and Maintenance, prepared by the Forestry Division of the County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

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